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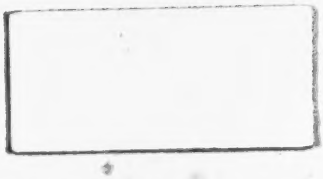
HOUSE OF COMMONS

OFFICIAL REPORT

**FOURTH SESSION OF THE FIFTIETH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II**

SESSION 1990-91

**COMPRISING PERIOD
18 FEBRUARY—1 MARCH 1991**



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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

FORTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 186**

SEVENTH VOLUME OF SESSION 1990-91

House of Commons

Monday 18 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Ordered,

That Mr. Don Dixon be added to the Committee of Selection.—*[Mr. Goodlad.]*

Oral Answers to Questions

WALES

Dyslexia

1. **Mr. Raffan:** To ask the Secretary of State for Wales if he will make a statement on the number of primary and secondary school pupils in Wales suffering from dyslexia and as to what specialist, qualified teaching is available for them.

The Minister of State, Welsh Office (Sir Wyn Roberts): The Education Act 1981 abolished the categorisation of children by disability, so the precise numbers are not available. Provision for children with learning difficulties is made by local education authorities according to local circumstances.

Mr. Raffan: Does my hon. Friend share my concern that Clwyd local education authority only recently carried out a survey of primary school pupils to identify those suffering from dyslexia and that it has not yet carried out a similar survey in county secondary schools? Does my hon. Friend agree that all Welsh local education authorities should carry out surveys if they have not already done so, since such data are essential if we are to raise the standard of special teaching for dyslexic pupils up to the admirably high level that prevails at Orrets Meadow school in the constituency of my right hon. Friend the Secretary of State for Wales?

Sir Wyn Roberts: As I think my hon. Friend knows, dyslexia covers a wide range of learning difficulties. The intention behind the relevant provision in the Education Act 1981 was to abolish the categorisation of children by disability. I understand that Clwyd has acted as my hon. Friend described. It is for Clwyd to get on with analysing the number of dyslexic children in secondary schools, if it thinks that it should do so.

Community Charge

2. **Mr. Wigley:** To ask the Secretary of State for Wales what discussions he has had with local authorities in Wales concerning the future of the community charge.

The Secretary of State for Wales (Mr. David Hunt): On 7 January I met representatives of the district and county councils at a meeting of the Welsh consultative council on local government finance to discuss local government finance structure and functions.

Mr. Wigley: Will the Secretary of State join me in congratulating those people in Wales who have campaigned hard and long against the poll tax, often at great personal cost? Will he assure the House that when a replacement tax takes over from the poll tax, as it must, the new tax will take into account the cost of administration and that it will be substantially less than the very high bureaucratic cost of the poll tax?

Mr. Hunt: I do not join the hon. Gentleman in what he asks, but he did not expect that I would. However, I very much look forward to meeting him and his colleagues, as

well as senior representatives of the Liberal Democrats, in the next few days to discuss this thorough, wide-ranging and constructive review of the community charge. My great regret is that the official Opposition have yet to respond positively.

Sir Anthony Meyer: My right hon. Friend has done astonishingly well to enable councils in Wales to keep the level of the community charge so much lower than in England, but is he aware of not only the puzzlement but the resentment about the system whereby he has been able to secure so much extra money for rebates to communities? I do not know whether my right hon. Friend has anything to say on the subject, but I should be glad if he would at least say that he is well aware of that ill feeling.

Mr. Hunt: Of course, I considered whether we might introduce the English form of transitional relief. I was responsible for formulating it for England. However, there were two reasons why that was not possible. First, it would have taken a great deal of time and administration to introduce. Secondly, I should not have been able to get the relief to as many people as I have. According to my predictions, if the English scheme had applied in Wales, it would have gone to 1 million people and amounted to £50 million worth of transitional relief. As it is, the relief will go to 1·4 million people and will amount to £62 million.

Mr. Flynn: Is the Secretary of State aware that Newport's council and its people are bewildered by the perverse effects of the rebate, whereby most prosperous areas get a hand-out and most of the poorer areas get nothing? The Secretary of State has managed to add the unfairness of the old rating system to the unfairness of the poll tax. What does he intend to do about it?

Mr. Hunt: Not at all. It is easy to calculate, because it is based on the average rates paid in that community. I have more than trebled the amount of relief and whereas in the past just over 300 communities benefited, now well over 600 do. Three times as much relief now goes to twice as many people.

Mr. Burns: Does my right hon. Friend agree that the Labour party is extremely long on criticism of the community charge but remarkably reluctant to take part in constructive discussions on how to improve it? Is the reason that the Labour party is unclear about which of its 60 local government policies are actually Labour party policy on financing local government?

Mr. Hunt: I have spoken to my right hon. Friend the Secretary of State for the Environment about that matter and understand that the Labour party has introduced a new condition for participating in the review of the community charge in Wales. In England, Labour Members have confined themselves to saying that they will sit down and talk if the purpose of the exercise is the abolition of the "poll tax"; in Wales, the hon. Member for Alyn and Deeside (Mr. Jones) has now introduced a second condition, which is that I must promise to consider the introduction of a property-based tax levied according to an individual's ability to pay. It is about time the Labour party spent more time considering a positive attitude rather than considering what other conditions it will impose.

Mr. Murphy: Does the Secretary of State agree that there is universal agreement among all local authorities, most political parties and even most members of the Conservative party that the poll tax is bad and should be abolished? Will not the Ministr admit that, over the years, the poll tax has been seen to be unfair? Does he accept that the most important statement for him to make to the House and to the Welsh people is that, in the first instance, the poll tax should be done away with?

Mr. Hunt: If the hon. Gentleman feels so strongly about the matter, why will not he drop the nonsense of preconditions and talk to me about the future of local government taxation? In England the average payment after relief and benefit is £300 whereas in Wales, according to my latest calculations, which are in line with the settlement that I announced, the average payment of community charge after relief and benefit will be £161.

Countryside Council for Wales

3. **Dr. Thomas:** To ask the Secretary of State for Wales when he last met the chairperson of the Countryside Council for Wales to discuss development and the environment in rural Wales.

Sir Wyn Roberts: I met the chairman of the Countryside Council for Wales on 30 October last year to discuss the council's corporate plan and other aspects of its proposed activities for the next financial year and beyond.

Dr. Thomas: During discussions with the chairman of the Countryside Council, did the Minister of State discuss the funding of national parks in Wales? Will funding now be directed through the council, because the national parks in Wales have complained to me and many other hon. Members that their increase is about half that available to national parks in England this year and in the future?

Sir Wyn Roberts: The national parks' supplementary grant is, as the hon. Gentleman says, funded separately from the Countryside Council for Wales. We shall have to see how things develop, but we have increased the national parks' supplementary grant for next year by 11·2 per cent. Their representatives have been to see me. That increase was substantially more than inflation and is on top of a real-terms increase of about 37 per cent. over the past decade or so.

Mr. Gwilym Jones: In his discussions with the chairman, did my hon. Friend satisfy himself that the Countryside Council for Wales will be adequately resourced?

Sir Wyn Roberts: I have given that assurance, even for the formation of the council in its shadow form. This year, we gave it £470,000 of grant in aid and next year it will have a total of £14·5 million.

Dr. Kim Howells: The Minister will be aware that one of the special and unique features of south Wales is the finger of rural Wales stretching between the urban valleys. He will be aware of the great consternation about parts of rural south Wales being destroyed by landfill sites because local authorities are so strapped for cash that they cannot afford recycling units. What provision will the Government make to meet that need in urban south Wales?

Sir Wyn Roberts: There is another question on the Order Paper about the green belt which my hon. Friend

the Under-Secretary of State hopes to answer. I am sure that the hon. Gentleman will be aware of the conference that was held under the auspices of my right hon. Friend the Secretary of State. There is no question but that parks are of tremendous importance to the whole of Wales. I know that the hon. Gentleman has particular regard for the Brecon Beacons national park, which generates much interest in the industrial valleys of south Wales and is supported by several county councils.

Labour Statistics

4. **Mr. Ron Davies:** To ask the Secretary of State for Wales when he expects the unemployment total in Wales to exceed 100,000.

Mr. David Hunt: In January 1991, the unadjusted total of unemployed claimants was 101,452. The seasonally adjusted total is 96,000.

Mr. Davies: Does the Secretary of State accept that those figures represent much suffering and an appalling waste of human resources in Wales? After 12 years of Tory Government frittering away our national assets, under-investment in education and training, transport, research, industry and employment generally, does the Secretary of State feel neither shame nor embarrassment that he has no new initiatives, policies or prospects for improving the position of the people of Wales?

Mr. Hunt: To be fair, five years ago the headline total was pushing 200,000; it has fallen substantially since. I am certainly doing everything that I can to promote Wales and the development of the Welsh economy. Having carefully considered transport provision, I am happy to announce a boost of more than £8 million in local authority capital provision for urban projects. The hon. Gentleman will be pleased to hear that I am making a £4·9 million transport grant which will enable his county council to make a start on the lower Rhymney valley relief road scheme.

Mr. Ray Powell: I thank the Secretary of State for meeting the Opposition Front-Bench spokesman on Welsh affairs and myself to discuss an issue involving further redundancy and unemployment in Wales. If the Government continue like this, we shall soon reach the figure of 200,000 that he mentioned. I am talking about the 40 or 50 staff of the community action training organisation, which has trained 4,000 people in the past 10 years. It was established as a community initiative, but the Welsh training and enterprise councils, which the right hon. Gentleman was responsible for setting up, have withdrawn CATO's contract for 200 trainees. The Secretary of State should at least announce whether he intends to carry out an investigation to ensure that the TECs did not take a political decision on the closure of CATO.

Mr. Hunt: I am happy to give that latter assurance. After hearing the argument of the hon. Gentleman and his hon. Friend, I contacted the training and enterprise council. I understand that it had reasons for reaching its decision and I have asked it to make them available to the hon. Gentleman.

Mr. Raffan: Will my right hon. Friend join me in welcoming this morning's announcement of the creation of a further 60 jobs at Breger Gibson in my constituency, which brings the total to just under 300? Does he agree that that is a further sign of how much more diversified, soundly based and therefore resilient our local economy has become in the past 10 years, thanks in large part to Government policy?

Mr. Hunt: I am grateful to my hon. Friend. The £2 million factory expansion at Holywell, Clwyd, which will create 60 new jobs is indeed welcome. I was happy to be able to make a Welsh Office grant towards the project. As well as creating the 60 new jobs, it will secure the jobs of 230 people who are already employed by the company, which was established as recently as 1986.

Mr. Barry Jones: I thank the right hon. Gentleman for his remarks about transport. Is not he deeply concerned at the depth of the recession and the nature of the redundancies in Wales? I have in mind hundreds of redundancies in coal, steel, cement, furniture, clothing and electronics and in famous names such as Pilkington, Hoover and JCB. Does the right hon. Gentleman agree that the lost BBC and HTV jobs will be very hard to replace? Can he explain why, when unemployment is rising, with the figure of 100,000 in sight, he proposes to cut his industry and employment budget by 35 per cent? Why is that, given that the job situation in Wales is so serious? Will he relent on his plans to make cuts?

Mr. Hunt: I am sorry that the hon. Gentleman has tried to suggest that there are planned cuts. I believe that he has done a great deal to mislead the press—unintentionally, I am sure. The industry programme, as last year, shows a decline due to the withdrawal of regional development grants, but that had been expected for some time. My industry programme provides for total gross expenditure of £268 million next year, which is some £15 million above this year's spend. It will still be higher than now in 1993-94, even allowing for the end of RDG. The hon. Gentleman should not seek to bring down our country with talk of gloom and doom. The medium to longer-term prospects for Wales are as good as ever.

Heartbeat Wales

5. **Mr. Simon Coombs:** To ask the Secretary of State for Wales if he will make a statement on the progress of Heartbeat Wales.

The Parliamentary Under-Secretary of State for Wales (Mr. Nicholas Bennett): The Heartbeat Wales programme, which is run by the Health Promotion Authority for Wales, continues to combat the high incidence of coronary heart disease in Wales. The evaluation that we have started under the programme, which was established in 1985, already shows welcome trends in the sample survey. It shows that smoking and excess drinking are decreasing and that more people in Wales now take exercise.

Mr. Simon Coombs: Notwithstanding the excellent work of Dr. John Catford and his team in Heartbeat Wales, my hon. Friend will be aware that the incidence of coronary heart disease in the Principality remains very high when compared with that in other countries. Does he agree that the new general practitioners' contracts provide an excellent opportunity to do more for health promotion? Will he ensure that general practitioners in Wales have the necessary information to deal with patients who come to

them with high levels of blood cholesterol and other indications that may suggest the onset of coronary heart disease?

Mr. Bennett: My hon. Friend's interest in that matter is well known, as he is the chairman of the all-party food and health forum. I assure him that the plans for action contained in the Health Promotion Authority's document, which has just been issued, concentrate on that. He is right to point out that, in the new GP contracts, health promotion and dealing with heart disease are given very high priority.

A55

6. **Sir Anthony Meyer:** To ask the Secretary of State for Wales what is his present estimated date for completion of the dualling of the carriageways of the A55 from the Welsh border to Bangor.

Sir Wyn Roberts: Dualling of the whole of the A55 route in north Wales is expected to be achieved in 1994.

Sir Anthony Meyer: My hon. Friend and I have represented north Wales constituencies for longer than any other hon. Member in the House. Does my hon. Friend realise—I am sure that he does—how dramatic has been the transformation of the north Wales scene as a result of the progress made on the A55, especially during the past 12 years? Does he think that the public authorities along the route are taking the maximum advantage of the huge potential for development represented by this corridor of opportunity?

Sir Wyn Roberts: My hon. Friend will agree that the plans outlined in our document. "The A55: Road of Opportunity" showed a tremendous amount of activity on the part of local authorities and I certainly look to those authorities to develop opportunities along that magnificent corridor into north Wales.

Mr. Geraint Howells: The Minister will be aware that there are more than a quarter of a million of us living in mid-Wales. We have been very tolerant over the past 10 years. We have looked north and south and have watched the Welsh Office spending millions of pounds on the motorway in south Wales and the dual carriageway in north Wales. Will the Minister assure us that, after 1994, he will consider dualling the carriageway between Shrewsbury and Aberystwyth to make sure that we in mid-Wales see fair play at last?

Sir Wyn Roberts: Our strategy for roads in Wales is set out in "Roads in Wales", which covers the whole of Wales. Not only are we providing the M4 in the south and the A55 in the north; we are spending a considerable amount on links to those two roads. On the north-south route, for example, we are due to spend £100 million on the A470 alone. We shall also be spending on the A483 from Manchester to Swansea and, in addition to Welsh Office spending, we are supporting extensive spending by local authorities on their county roads.

Mr. Martyn Jones: Does the Minister agree that the rural hinterland of north Wales requires links to the A55 if the benefits are to be felt deeper into the areas that really require them, including Denbigh and the Vale of Clwyd? Can the Minister tell me when there will be a link—perhaps bypassing St. Asaph, with which I know he is concerned? That would add a link from the Vale of Clwyd into the A55 corridor.

Sir Wyn Roberts: Clwyd county council is the responsible highway authority for St. Asaph. On the broad principle, as I said earlier, we are spending a considerable amount on links to the A55. I can tell the hon. Gentleman now that we plan to spend £175 million on those links, which include the A5, the A470, the A487 and the A494.

Green Belts Conference

7. **Mr. Gwilym Jones:** To ask the Secretary of State for Wales if he will make a statement on the green belts conference he held in Cardiff on 28 January.

Mr. Nicholas Bennett: At the Welsh Office conference my right hon. Friend called for serious consideration to be given to the benefits that statutory green belts could bring to parts of the Principality. Participants at the conference were drawn from the local authority associations and environmental and development interests in Wales. Speakers expressed a wide range of views on the green belt. The Assembly of Welsh Counties has accepted my right hon. Friend's invitation to take forward the consideration of that question as a first priority in its review of strategic planning guidance and to submit an interim report in spring this year.

Mr. Jones: I am sure that my hon. Friend acknowledges the outstanding contribution of the Council for the Protection of Rural Wales. Will consultation be confined to the county councils, which are neither planning nor leisure authorities, as South Glamorgan county council appears to be leading the charge to develop that which should be retained as green belt? Will he keep to the forefront the consideration that my constituency, north of the M4 from Tongwynlais to St. Mellons, must be the prime candidate for green belt status?

Mr. Bennett: As usual, my hon. Friend defends with vigour his constituents' views and I certainly take on board his point. We shall certainly ensure that the district councils and the city council in Cardiff are included in our discussions on this matter, because, as he rightly says, they are the planning authorities for most issues.

Mr. John P. Smith: May I tell the Minister that he will find support on both sides of the House for the speedy introduction of statutory green belts in Wales to protect areas like the rural Vale of Glamorgan which are threatened not just by developers, in terms of the destruction of open countryside, but by the lack of much-needed urban regeneration on the waterfront?

Mr. Bennett: I welcome the hon. Gentleman's remarks. We want the issue to be bipartisan. It is not a matter for party political controversy and I am pleased that the hon. Gentleman supports us.

Mr. Michael: It seems a little late for the Minister to consider being bipartisan. He is becoming very good at attending conferences and appearing to offer help to solve problems that the Government have created. Does he accept that attempts at sensible and coherent planning of land use and the protection of the environment have been undermined by the way in which the Welsh Office has granted planning permission on appeal with gay abandon

over the past 10 years? Will he promise now to break with the policies of the predecessors of his right hon. Friend the Secretary of State for Wales and put the power back into the hands of local elected representatives to protect the environment of our towns, cities and the surrounding countryside?

Mr. Bennett: I do not agree with the hon. Gentleman's premise.

Schools (Opting Out)

8. **Mr. Roy Hughes:** To ask the Secretary of State for Wales how many primary and comprehensive schools in Wales have applied to opt out of council control; and how many of these applications have been granted.

Sir Wyn Roberts: Two secondary schools have applied for grant-maintained status. The application in respect of Cwmcarn comprehensive school, Islwyn, has been approved and that in respect of Queen's comprehensive school, Newport, was rejected. No applications have been received from primary schools.

Mr. Hughes: Does the Minister recognise that our local education authorities are being pressured into curbing expenditure which invariably means school closures? When those schools are allowed to opt out, the capital funding is two and a half times the level for local authority schools. Can the Minister explain the rhyme, logic and reason for that ridiculous attitude on the Government's part or is that just bribery to undermine our local authority schools?

Sir Wyn Roberts: The hon. Gentleman knows full well that the option of grant-maintained status was given to the education system, and particularly to parents, under the Education Reform Act 1988. Various procedures must be followed before a school gains grant-maintained status. We have explained our decisions, and the decision letters in the two cases to which I have referred are in the Library. Their revenue funding is much the same as it is for any school under the local management of schools system and the capital funding is provided direct by the Welsh Office in this case. There is a problem in Gwent of surplus places and our decision in relation to Cwmcarn does not contradict that policy in any way.

Manufacturing Output

9. **Mr. Denzil Davies:** To ask the Secretary of State for Wales when he next intends to meet the newly appointed chief executive of the Welsh Development Agency to discuss the recent fall in manufacturing output in Wales.

Mr. David Hunt: I keep in close touch with the chairman and the chief executive of the Welsh Development Agency about a wide range of issues concerning the development of the Welsh economy.

Mr. Davies: In view of the fall in manufacturing capacity in Wales and the severe damage that has been wrought on the manufacturing base in Wales by 12 years of Tory Government, is not the Secretary of State concerned that the experience and expertise of the recently appointed chief executive of WDA lies almost wholly within the candy floss activity of property? Will he ensure in future that senior appointments at board level and at senior level reflect sufficient expertise and a track record in manufacturing industry?

Mr. Hunt: I reject the right hon. Gentleman's comments about Phil Head. I believe that he will be a marvellous chief executive. He won a very competitive contest for that position.

With regard to the right hon. Gentleman's opening comments, I must remind him that the WDA's budget this year is to be exceeded to the highest ever level next year of £160 million, which is £10 million higher than this year and £10 million higher than the figure that I inherited. It is set to remain above the 1990-91 level in each of the subsequent two years. The Welsh Development Agency has the means. The hon. Gentleman should not seek to decry Wales. I have recently seen executives from TSB, DAS, Bosch, Toyota and Dowty Koike. Those companies are now recruiting. That has nothing to do with a candy floss economy, but much to do with an expanding and strong economy.

Mr. Barry Jones: Will the right hon. Gentleman tell the people of Wales how his Government have reached such a serious recession after 12 years in power and about £100 billion in North sea oil revenues? Does he agree that falling output and rising unemployment are not just blips but signs of a recession affecting every kind of industry and every kind of worker? Why have he and his right hon. Friends in Cabinet been so complacent? It ill fits the right hon. Gentleman to tell us about our country. His Government are not helping our country.

Mr. Hunt: The hon. Gentleman did not listen to what I said. I said that I thought that everybody in Wales would be greatly assisted if the Opposition did not talk and preach gloom and doom. The hon. Gentleman mentioned output. Output per employee in manufacturing industry in Wales is the highest ever. In the six years since 1985 manufacturing output in Wales has gone up by 33 per cent. Over the same period output in the United Kingdom is up 19 per cent. Five years ago there were 81 inward investment projects in Wales. We have increased that by 75 per cent. There are 135 per cent. more jobs through inward investment and investment has increased by 263 per cent. Will the hon. Gentleman pay attention to those statistics and not play down the recovery in the Welsh economy?

Rural Economy

10. **Mr. Geraint Howells:** To ask the Secretary of State for Wales what plans he has for the improvement of the economy of rural Wales during 1991.

Mr. David Hunt: Several.

Mr. Howells: I am sure that the Minister will agree that agriculture plays a major role in the rural economy of Wales. Agriculture is in crisis. In order to restore confidence will the Secretary of State assure the House that he will go to Brussels to discuss Mr. MacSharry's latest proposals? Those proposals, whether phase 2 or phase 3, will have to be accepted. On behalf of both farmers' unions in Wales, may I ask him to give that assurance?

Mr. Hunt: This is very defeatist talk. On Thursday, the hon. Gentleman introduced a debate on agriculture, and my right hon. Friend the Minister for Agriculture,

Fisheries and Food demonstrated how strongly we should fight the MacSharry proposals. The Leader of the hon. Gentleman's party has just said, and I was astonished to hear it:

"Farmers have cried wolf far too often in the past. Now that there is actually a real crisis they are having some difficulty in getting people to listen to them."

They have no difficulty in getting me to listen to them. I am aware of the difficulties. How much does the hon. Gentleman support that statement by the leader of his party?

Mr. Alan W. Williams: I echo the concern expressed by the hon. Member for Ceredigion and Pembroke, North (Mr. Howells). On Friday I attended a meeting about rural affairs. The Minister will know about farmers' serious concern about the future. They have had a bad year with lamb and beef prices, and now they are worried about the GATT proposals and the MacSharry proposals. All that we get from the Government is a vacuum. We know that they are opposed to direct income aid for small farmers. The vacuum creates much anxiety and despair. What can the Secretary of State say to farmers in my constituency who are afraid of going bankrupt?

Mr. Hunt: There are many worries, and I share them. I refer the hon. Gentleman to the fighting speech by my right hon. Friend the Minister of Agriculture, Fisheries and Food at last week's AGM of the National Farmers Union. That was a marvellous speech and I support every word of it. The hon. Gentleman should have paid tribute to the recent increase in hill livestock compensatory allowances. I fought hard to secure more than £37 million for Wales and I shall arrange for that money to be distributed to Welsh farmers as quickly as possible.

Foreign Languages

11. **Mr. Grist:** To ask the Secretary of State for Wales what proportion of school leavers in Wales in 1990 held a pass at A to C level in a foreign language at *(a)* GCSE and *(b)* advanced level.

Sir Wyn Roberts: In 1988-89, 21·3 per cent. of school leavers in Wales held a GCSE grade A to C in a foreign language. The corresponding figure for advanced level grades A to E was 3·3 per cent. Information for 1989-90 is not yet available.

Mr. Grist: Does my hon. Friend agree that, compared with the achievements of our European neighbours, those figures are worrying? Does he further agree that, unfortunately, we are short of sufficient foreign language teachers and that the teaching of foreign languages should be started in primary schools?

Sir Wyn Roberts: I, too, would like to see foreign langage teaching started at the primary level because we have had considerable success in teaching Welsh at primary level. There is, indeed, a shortage of foreign langage teachers, but we are combating that by providing bursaries of £1,500 per annum for trainee teachers taking the postgraduate certificate of education and other courses. We, too, would like to see a great improvement in the learning and teaching of foreign languages in Wales.

Mr. Morgan: Could the Minister institute a study into the success rates of students taking foreign languages at GCSE and A-level, linking that with the constant drip, drip, drip of rainwater passing through leaking school roofs into buckets in the corners? In the county of South Glamorgan, part of which I have the honour to represent, the estimated cost of putting right the backlog of repairs to school buildings has now risen to £32 million, but the annual budget for repairing those roofs is only £9 million. How long is it——

Mr. Speaker: This is a bit wide of languages.

Mr. Morgan: How long will it be before that backlog is put right, and students of foreign languages at GCSE and A-level are given a fair chance of success?

Sir Wyn Roberts: I am well aware of the condition of our school buildings. Whenever I see a particularly rotten building and look into its date of construction, I usually find that it was constructed during a Labour Government's period in office.

THE ARTS

Arabic History and Art

27. **Mr. Dalyell:** To ask the Minister for the Arts what funds are available for the study of Arabic history and art.

The Minister for the Arts (Mr. Tim Renton): No funds are allocated specifically by the Office of Arts and Libraries for the study of Arabic history and art.

Mr. Dalyell: I should like to ask the Minister a question, of which I have given him notice. What response has he made to Professor Akbar Ahmed of Cambridge about the squandering of our legacy of scholarship in the Arab languages and the study of Arab history? Could the Minister say anything about the removal of the famous Islamic collection in Kuwait? May not it be just as well that that has been taken elsewhere temporarily, simply because of the pounding that Kuwait may well receive in a land battle?

Mr. Renton: On the hon. Gentleman's first point, I am not aware of any squandering of the funding that is needed for Arabic studies at the universities or the university museums. Funding for the universities and the university museums is a matter for my right hon. and learned Friend the Secretary of State for Education and Science. I understand that allocations are made by the Universities Funding Council to individual universities in answer to specific bids. Such allocations will, of course, include Arabic studies.

In answer to the hon. Gentleman's second point, it is, alas, sadly true that the contents of the Kuwait museum of Islamic antiquities have been removed by the Iraqis. It is one of the finest collections of Islamic art in the world. For the hon. Gentleman in any sense to take any comfort in the fact that that collection has been taken elsewhere is absolutely astonishing. It is an example of Iraqi pillage and of the despoiling of Kuwait.

Gift Aid

28. **Mr. William Powell:** To ask the Minister for the Arts what progress is being made in promoting Gift Aid; and what support the scheme is achieving.

Mr. Renton: A number of arts organisations have already received gifts under Gift Aid. This follows major

initiatives to publicise this very imaginative scheme by the Arts Council and the Museum and Galleries Commission, through their tax guide, and the National Arts Collection Fund through its Gift Aid for Art register.

Mr. Powell: May I say how welcome it is that so many people and bodies are taking advantage of this scheme? Has not the time come for it to be extended from gifts of cash to gifts in kind? Is my right hon. Friend aware that considerable success has been achieved in Australia and in the United States by allowing tax reliefs for gifts in kind? Could not such a scheme be accepted in this country?

Mr. Renton: I appreciate what my hon. Friend has said. It is satisfactory that a number of bodies such as the Aldeburgh Festival, the English National Opera and the Tate have recently been able to make use of Gift Aid donations. As to the second point, plans to extend Gift Aid to cover gifts in kind are interesting, but as my hon. Friend will know, the decision on this matter rests with the Chancellor of the Exchequer.

Dr. Kim Howells: Is the Minister aware that, while many of us in Wales are pleased with Gift Aid in that it has bailed out the Welsh National Opera and other companies, we are worried that funding is being kept from organisations such as the Association of Artists and Designers in Wales, which gives funds to individual painters and sculptors? Is the Minister aware that, while the great institutions may thrive on such aid, individual artists are bereft of funds?

Mr. Renton: I should have thought that the hon. Gentleman would be singing from the tops of the mountains about the help given to Welsh National Opera, and would be particularly grateful to the Welsh Office for the substantial sums that it has put forward to wipe off the accumulated deficit. The hon. Gentleman's other point should be pursued with the Welsh Arts Council. He should be suggesting that it should be studying the issue of direct grants to individual craftsmen in Wales.

Mr. Channon: Is my right hon. Friend aware that the success of the scheme would be even greater were it not for the fact that, in some parts of the country, there is difficulty in obtaining Gift Aid certificates? Will he have a word with the Chancellor to ensure that there is an adequate supply of these documents, so that people can press ahead with such schemes?

Mr. Renton: I thank my right hon. Friend. I am interested to hear him say that. One or two other examples of it being difficult to obtain Gift Aid forms have been mentioned to me before. I immediately pursued the matter, to make certain that the forms were available to any charity or artistic organisation that wanted them. If he will let me know the names of any organisation that is missing the forms, I shall follow that up.

Business Support

29. **Mr. Burns:** To ask the Minister for the Arts what contribution the business community is making in both financial and manpower resources in supporting the arts.

33. **Mr. Tim Smith:** To ask the Minister for the Arts what role the business community is playing in supporting the arts through the Business in the Arts scheme.

Mr. Renton: I am delighted that the business community is continuing its splendid support of the arts, with sponsorship now standing at around £35 million per annum. Business also provides professional advice to arts organisations through business in the arts, which my Department helps to fund.

Mr. Burns: Will my right hon. Friend join me in congratulating a number of businesses in the Chelmsford area, which have generously sponsored arts activities such as the Chelmsford cathedral festival each year? Is not it significant that 70 per cent. of the business sponsorship incentive scheme money goes to the arts outside London?

Mr. Renton: I thank my hon. Friend for his support for this imaginative scheme. I am delighted to hear of the sponsorship of the Chelmsford cathedral festival. I agree that it is satisfactory that so much of the money through the business sponsorship incentive scheme is not spent in the capital but is widely distributed throughout the United Kingdom.

Mr. Tim Smith: What contribution is the business community making to arts organisations in terms of the provision of management skills? Does my right hon. Friend agree that, in many ways, this is as valuable as contributions in cash? In how many cases has such help been given?

Mr. Renton: I thank my hon. Friend for that question. It is true that advice from sympathetic business men on how better to run festivals and artistic performances is useful. Business in the Arts has 60 consultants in a register of management advisers. It made 48 placements in London alone in the current year and is hoping to increase that to 80 in the year ahead. There are a number of interesting illustrations.

For example, an accounts manager from IBM is advising the Tricycle theatre in Kilburn on the design and analysis of an audience research questionnaire. More and more groups of artists are finding that business help is useful.

Mr. Skinner: Does the Minister recall that during the previous Session I asked a question about a number of paintings and pieces of silver that the previous Prime Minister had stored away at Downing street? I was told that there were 72 different items at No. 10, including paintings from the National gallery. Can we be assured that the various paintings and pieces of silver have now been returned to their rightful owners, or could it be that the right hon. Member for Finchley (Mrs. Thatcher) has set up an antiques business somewhere?

Mr. Renton: I am pleased to see the hon. Gentleman back in his place. When questions to the Minister for the Arts were last before the House, the hon. Gentleman was missing. On that occasion he had tabled a question on support for Welsh National Opera. I am sorry that we missed him on that occasion. I have no doubt that my right hon. Friend the Prime Minister will consider carefully the hon. Gentleman's question and go on to consider whether he should add to the beautiful objects in No. 10, change them or whatever. Perhaps the hon. Gentleman would like to act as artistic adviser to the Prime Minister.

Mr. Fisher: What contribution does the Minister expect the business community to make to the arts in London, precisely? Does he expect it to bail out the Government

from their incompetent handling of the future of Greater London Arts? He will know that the director of GLA left last week and that it has no finance director, music officer or literature officer. What does the right hon. Gentleman propose for the 200-odd clients of GLA and for all the London music societies that are left without funding? Will he give them to the business community or will he do something himself to save the arts in London?

Mr. Renton: I congratulate the hon. Gentleman on retaining his position as shadow Minister for the Arts. I was rather fearful that we might have heard him call "crisis" from the Opposition Front Bench for the last time, and that he might be concentrating on his full-time duty as minute secretary of his notorious supper club. It is good to hear him in comparable voice. There is no crisis in London arts and there is no need for them to be bailed out. The hon. Gentleman will know that the London Arts Board has been set up as an autonomous committee within the Arts Council. That is how it will be run for a maximum of two years.

CIVIL SERVICE

Trade Unions

37. **Mr. Winnick:** To ask the Minister for the Civil Service when he last met representatives of trade unions in the civil service to discuss the role of trade unions within the civil service.

The Minister of State, Privy Council Office (Mr. Tim Renton): We have not yet met to discuss civil service issues, but I intend to follow the practice of my predecessors and meet civil service trade union representatives whenever necessary.

Mr. Winnick: The Minister used to enjoy baiting trade unions when he was a Conservative Back-Bench Member. Is he aware that the continued ban on trade union membership at GCHQ is entirely unacceptable to Opposition Members? We shall never accept that British people should be denied their right to belong to a trade union. Will Tory Members have the guts to oppose my ten-minute Bill, which I shall introduce next week, the purpose of which is to attempt to reverse the present position?

Mr. Renton: The hon. Gentleman does me a disservice and his memory a considerable error. I have never baited a trade unionist in my life. I have been a member of the Association of Professional, Executive, Clerical and Computer Staff, like the right hon. Member for Leeds, East (Mr. Healey), for about 10 years. From time to time I have asked the right hon. Gentleman whether he would lend me his APEX tie so that I could wear it on suitable occasions. There is no change in the Government's position on GCHQ. I doubt, therefore, whether any of my colleagues will support the Bill that the hon. Gentleman intends to introduce next week. Affiliation by the Government Communications Staff Federation at Cheltenham to any outside bodies would not be acceptable to the Government.

Mr. Batiste: Does my right hon. Friend agree that when a civil service union affiliates to an organisation such as the Campaign for Nuclear Disarmament, it is giving a clear signal to all its members, and especially to those who work in the Ministry of Defence, that it is putting the interests of the discredited dogma held by a minority of left-wing activists ahead of the need to represent the legitimate interests of all its members?

Mr. Renton: My hon. Friend advances his argument extremely well. I am sure that the leaders of the union concerned will carefully consider his remarks.

The Gulf

38. **Mr. Dalyell:** To ask the Minister for the Civil Service what estimate he has of the number of civil servants who have been allocated to duties relating to the Gulf.

Mr. Renton: The hon. Gentleman will understand that the range of duties performed by civil servants—covering work as diverse as assistance to evacuees and shipping policy—makes it difficult to prepare an estimate of the kind he describes. A great many civil servants in the Ministry of Defence are involved in all aspects of work relating to the crisis, where civilian staff play a key role in support of the armed forces. I understand that outside the Ministry of Defence and the Foreign and Commonwealth Office the numbers of staff allocated specifically to Gulf duties are very small.

Mr. Dalyell: May I ask the Minister a question of which I gave his Department somewhat short notice? How many civil servants are involved in the operation to clean up the oil slicks? I put this question in the light of the fact that David Olsen, who is the environment adviser to the Saudi Government, has complained about both lack of personnel and of equipment.

Mr. Renton: It would be helpful if the hon. Gentleman were to condemn unequivocally the Gulf oil spill as a deliberate crime against the planet. I have checked in *Hansard* the reports of his previous remarks, and I do not see that he has uttered any such condemnation, which I should have thought appropriate. As he knows, the United Kingdom Government made a quick response to this oil spill. We shall listen to requests from neighbouring Arab states for help. In particular, we should welcome offers from any non-combatant countries to help clean up the Gulf oil spill.

Mr. Conway: Will my right hon. Friend ensure that the congratulations of the House are conveyed, in particular, to those civil servants who are involved in defence procurement? These people have had to work considerable hours, and under some pressure, to ensure that our forces in the Gulf receive their supplies—no doubt, hindered to a considerable extent by the cowardly refusal of the Belgian Government to ensure that we do have some defence supplies.

Mr. Renton: I thank my hon. Friend for his comments. I shall certainly see that his very well deserved congratulations on the work being done and on the hours being put in are passed to my right hon. Friend the Secretary of State for Defence.

Trade Unions

39. **Mr. Fisher:** To ask the Minister for the Civil Service when he last met representatives of civil service unions to discuss the improvement of morale and conditions of service.

40. **Mr. Allen:** To ask the Minister for the Civil Service when he next plans to meet civil service trade unions to discuss morale.

Mr. Renton: We have not yet met to discuss civil service issues, but I intend to follow the practice of my predecessors and meet civil service trades union representatives as appropriate.

Mr. Fisher: Does the Minister accept that the working conditions of civil service trade unionists working in the national museums would be improved considerably if there were not holes in the roofs of those buildings? Let him tell the civil service trade unions that he will accept the findings of the report on the fabric of the national museums—a report which he commissioned—and will commit the necessary funds to the removal of this national disgrace. It is indeed a national disgrace that there are holes in the roofs of our great national museums.

Mr. Renton: The hon. Gentleman totally misstates the case. Having visited a number of the national museums, I cannot say that I found in any of them civil servants who are unhappy with their working conditions. Indeed, those employees are rather excited by the changes that are taking place. As the hon. Gentleman knows, I have commissioned a survey by the building firm Ove Arup, which is to report to me the estimates for repairs. That report will be in my hands by the summer and I shall consider very carefully indeed the figures that it contains.

Mr. Allen: The Minister will be aware of the problems relating to over-payments, dubious payments and various other irregularities in respect of the sale of the Crown Suppliers transport section. Will he comment on the activities of Mr. Bill Pinkney in respect of the sale of that transport section, so that all these irregularities may be laid bare to the House and the public? Will he make a statement on this matter?

Mr. Renton: No. I suggest to the hon. Gentleman that if he seriously wishes to pursue this matter he puts in a letter to me all the facts and figures that are in his possession. If he does that, I shall look at those facts and figures very carefully.

Mr. Holt: Will my right hon. Friend confirm that the morale and conditions of civil servants would be much enhanced if many of them were to move to Teesside? Would not it be in the Government's interests to ensure that the Ministry of Defence did not renege on its promise to move 1,500 jobs to Teesside, but allowed its civil servants to take advantage of the excellent living conditions there?

Mr. Renton: As my hon. Friend knows, the policy of relocating civil servants to places outside London is being implemented vigorously. For example, the Inland Revenue is moving in a substantial way to the constituency of the hon. Member for Nottingham, North (Mr. Allen). I shall certainly look into the point about Teesside with my right hon. Friend the Secretary of State. If he writes to me giving further details, I shall pursue them.

Mr. Maclennan: Will the Minister also discuss with Locate in Scotland the possibility of relocating civil service jobs to Caithness, in the light of the changing circumstances there? Undoubtedly it will have a beneficial effect on the morale and conditions of service for the select few who might be induced to go there. Locate in Scotland has not been as active as some of us would have wished.

Mr. Renton: I am sure that the hon. Gentleman would like to pursue that matter with Ministers at the Scottish Office. I remember during my time at the Home Office that people in many parts of the United Kingdom suggested that we should move, for example, an immigration office or passport office to their area. If the hon. Gentleman thinks that a particular site in Caithness would be suitable, I suggest that he makes that known to my right hon. Friend the Secretary of State for Scotland.

Mr. Peter Bottomley: When my right hon. Friend meets the trade union leaders, will he congratulate the many volunteers who act as shop stewards and unpaid officers of the unions? Will he also raise participation rates in the elections for national officers of civil service unions, which are among the lowest in the country? Will he consider whether it is the employers' job to draw to the attention of staff the dates of elections rather than to tell them who to vote for?

Mr. Renton: I thank my hon. Friend for that question. He speaks as my immediate predecessor as president of the Conservative trade unionists. I know that he has a great interest in trade union matters. I thank him for his suggestion. I shall certainly pass on his congratulations and ensure that the matters that he raised are looked into.

Dr. Marek: Might I for the first time agree with the hon. Member for Langbaurgh (Mr. Holt) that it would, indeed, be good to move civil servants out of London? Does the Minister agree that temporary and transient help by way of bridging loans should be given to civil servants who are asked to move? Has the Minister met the unions to discuss the matter? Is he aware that the Minister of State, Treasury will not meet the unions to talk about bridging loans? The right hon. Gentleman has given me an assurance that he is prepared to talk to the unions on the matter. Does he believe that help should be given by way of bridging loans to union members who are asked to move on public service?

Mr. Renton: First, I remind the hon. Gentleman that four out of five civil servants are now located outside Greater London and that relocation of civil servants outside London is continuing. His point about bridging loans to cover moving costs is not an easy matter, as he will understand. It is always difficult to determine when the loan should be repaid. I am sure that in any major relocation the Secretary of State and the permanent secretary of the Department involved will consider carefully whether such loans could be justified and whether they should make a case to the Treasury for such loans to be made.

Mr. John Wilkinson (Ruislip-Northwood): On a point of order, Mr. Speaker.

Mr. Speaker: No, I will take it after the statement.

The Gulf

3.32 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): With the permission of the House, I should like to make a statement about the Gulf.

The announcement by the Iraqi Revolutionary Command Council on 15 February stated Iraq's readiness "to deal with Security Council Resolution 660 with the aim of reaching an honourable and acceptable political solution, including withdrawal".

The announcement clearly and explicitly links an undertaking by Iraq on withdrawal to a series of conditions. These include the withdrawal of Israel from occupied Arab territory, the withdrawal of coalition troops from the Gulf within one month, reparations for damage done to Iraq, the cancellation of Iraq's debts, the repeal of all Security Council resolutions passed after Iraq's invasion of Kuwait and the guarantee of Iraq's territorial claims.

It is clear that the Revolutionary Command Council's announcement does not commit Iraq to unconditional withdrawal from Kuwait, as required by the United Nations Security Council either in resolution 660 or in the later ones, nor to the implementation of the other resolutions passed by the Security Council since 2 August. The announcement was rejected by the meeting of Foreign Ministers of Egypt, Syria and the Gulf Co-operation Council in Cairo. It was also rejected by the great majority of speakers in the United Nations Security Council on 16 February. In the view of Her Majesty's Government, it was totally inadequate as a basis for ending the war. The aggressor cannot expect to set conditions for remedying the aggression.

What the world now requires is an unequivocal commitment by Iraq to withdraw its forces fully and unconditionally from Kuwait. When the Iraqi Government are ready to comply with the mandatory resolutions of the Security Council, they should say so unambiguously and match their words with decisive and irreversible proof. There needs to be clear evidence of withdrawal and of a commitment to repatriate allied prisoners of war.

Today, the Iraqi Foreign Minister, Mr. Tariq Aziz, is in Moscow. President Gorbachev has made it clear that the Soviet Union stands firmly behind the coalition and the resolutions of the Security Council. I hope that Mr. Tariq Aziz will take back to Baghdad the clear message that Iraq can decide when the fighting will stop by taking the steps that I have described.

The Security Council will continue its debate after the discussions in Moscow. I urge the Iraqi leadership quickly to put to an end the anxiety and suffering which their continued intransigence is causing to the people of Kuwait, to the people of Iraq and to the whole world.

Mr. Gerald Kaufman (Manchester, Gorton): I thank the Foreign Secretary for responding to our request for a statement. Our determination to insist upon the strict fulfilment of the United Nations resolutions requiring Iraq to withdraw unconditionally from all of Kuwait begins to be vindicated, first, by Iraq's citing of resolution 660, and, secondly, by the fact that Iraq, for the first time since the crisis began more than six months ago, is referring to withdrawal of its forces from Kuwait.

It remains unclear exactly what Iraq meant in the statement issued by Baghdad radio on Friday, and augmented by informal statements by Tariq Aziz and the Iraqi ambassadors to the United Nations and to Paris.

As far as the Labour party is concerned, what is certain is that if the list of issues accompanying the Baghdad statement is a list of conditions to be carried out before or parallel with withdrawal, those conditions are totally unacceptable, since resolution 660, to which radio Baghdad referred, requires unconditional Iraqi withdrawal from Kuwait. If it is a list of the issues which Iraq believes should be discussed after withdrawal, certain of the isues are again unacceptable. Other matters, such as the Israeli withdrawal from the occupied territories and Syrian withdrawal from Lebanon, should certainly be discussed at the international conference foreshadowed by Security Council resolution 681, but they are certainly not matters to be negotiated bilaterally with Iraq and cannot be linked to Iraqi withdrawal from Kuwait.

Therefore, we await developments following the Moscow talks and welcome the repeated Soviet insistence upon strict Iraqi implementation of Security Council resolutions.

If the Soviet plan or any other reliable actions and verifiable statements confirm or bring about, without any doubt whatever, Iraqi acceptance of the UN resolutions, and if Iraq then complies with the Baker-Bessmertnykh conditions, by commencing withdrawal from Kuwait in a manner verified by and acceptable to the commanders of the coalition forces, will such action receive a response from the coalition? The United States Secretary of State, Mr. James Baker, and the United States Defence Department have indicated as much and I shall be grateful for confirmation by the Foreign Secretary.

The whole House will deeply regret continuing Iraqi civilian casualties, including the loss of life at Fallujah. We hope that every possible effort will be made to avoid further such occurrences. I think that the Royal Air Force deserves credit for openly acknowledging the tragic error which caused casualties at Fallujah. Does the right hon. Gentleman agree that, if such unhappy mistakes are made, it is better to do what the Royal Air Force has done and admit them and seek to avoid their recurrence rather than seek ways to justify them? Does the right hon. Gentleman agree that further casualties on both sides can be avoided if Iraq plainly and simply accepts the Security Council resolutions and, without further delay and without conditions, withdraws from Kuwait? Our support for those resolutions is firm and determined. Let them now be carried out.

Mr. Hurd: I am grateful to the right hon. Gentleman for the general tone of what he said. On his three specific points, I chose my words carefully as regards compliance. The right hon. Gentleman rightly said that Iraq is required by the Security Council to accept immediately and unconditionally the withdrawal of all its forces. That obviously requires not just an assurance but decisive and irreversible proof. I said that there needs to be clear evidence of withdrawal and of a commitment to repatriate allied prisoners of war.

The right hon. Gentleman dealt rightly with the casualties at Al-Fallujah. Every effort is made by the RAF, and indeed by all the allied forces, to minimise civilian

casualties. I agree with what he said about the correct handling of the issue by the RAF. I also agree with the third point that he made.

Sir Peter Emery (Honiton): Will my right hon. Friend bear in mind that the vast majority of the people want to see a solution which ensures that Saddam Hussein and the Iraqi council cannot do again what they have done over the past few months? That needs to be an absolute factor when the war is over. It will receive the support of the vast majority of the people.

Mr. Hurd: I am grateful to my hon. Friend for what he said. We receive continuing evidence from all over the country that, despite all the efforts by Saddam Hussein to confuse and divide us, people are clear about the objectives, which are worth while. We are now entering the decisive and most difficult phase. It is a great strength to our forces in the desert that they have the support which is illustrated in the House and in the country.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Should not Her Majesty's Government make clear and repeat their determination to deal with some of the important matters mentioned in the Baghdad statement, and also make clear that the sooner Saddam's forces leave Kuwait, the sooner that process can begin? Should we not at least welcome the Iraqi mention of withdrawal from Kuwait as a change from the rhetoric of its being the 19th province of Iraq and demand that he turns his verbal translation into action?

Mr. Hurd: We made it clear, long before the Iraqi invasion of Kuwait, that the international community had to return, for example, to the Arab-Israel question. The right hon. Gentleman and I have often discussed that. That remains true. The Iraqis and Saddam Hussein have no particular standing in this. Their attempts to link the two questions have been repudiated by their fellow Arabs. We must not get into a position where we start negotiating with Saddam Hussein on that matter. Our determination, indeed our will, to deal with it is not in doubt.

It is certainly true that the Iraqi statement on 15 February appeared to begin a retreat from the statement that Kuwait is the 19th province of Iraq, but what it does not do is comply with what the United Nations required. Therefore, I believe that it is right for the President of the United States, for our Prime Minister and for all the leading members of the coalition to make it clear that it is not an acceptable basis for ending the war.

Mr. David Howell (Guildford): While all the analysis goes on in Moscow, Tehran and, indeed, the United Nations about what Baghdad does or does not mean by its latest statement, is there not one clear way in which Saddam Hussein can indicate his intentions to the coalition and that is by physically withdrawing his forces across the Iraqi frontier, requesting to the allies that, in the light of a genuine withdrawal, he is not bombed, and proceeding to comply in detail and in action with the resolutions of the United Nations?

Mr. Hurd: My right hon. Friend has it exactly right. I hope that that is the message which Mr. Tariq Aziz will take back to Baghdad from Moscow.

Mr. Max Madden (Bradford, West): Will the Foreign Secretary give a clear assurance that no British forces will be committed to a ground attack on Kuwait or Iraq until all reasonable efforts have been made, and all reasonable time has been given, to ensuring that Iraq undertakes a negotiated compliance with the United Nations resolution?

Mr. Hurd: Reasonable time was given—between the date of resolution 660 that was passed as the Iraqi troops poured into Kuwait and 15 January, the deadline set by the Security Council at the instance of the Soviet Union. No one can argue that that is not "reasonable time". The timing of any ground attack must depend on when those concerned believe that an attack can be made to liberate Kuwait in accordance with the United Nations, in circumstances that create the minimum number of casualties.

Mr. Jacques Arnold (Gravesham): Will my right hon. Friend highlight the number of Islamic nations that have committed forces to the coalition? Does not that number give the lie to Saddam Hussein's claim to speak for Islam?

Mr. Hurd: Indeed; and it is notable, as I said in my statement, that eight of the leading Arab members of the coalition—let alone Muslims—who met in Cairo on Friday were quick to declare exactly the same answer to the statement that came out of Baghdad as we did.

Mr. Tony Benn (Chesterfield): Is the Foreign Secretary aware that his statement left out some important facts? One is the fact that other countries saw this development in a more positive way than did the President of the United States or the Prime Minister. Secondly, clarifications have come since then, which might have been spelt out but which the Foreign Secretary did not spell out. Thirdly, the President and the Prime Minister gave a summary judgment on the matter without waiting for the Security Council, which is supposed to be the body masterminding the operation. Is the right hon. Gentleman really saying that, with these hopes still being explored in Moscow, a land attack is thought right—at this moment, when there is a possibility of a peaceful settlement?

Mr. Hurd: Part of the aim of the Baghdad statement must have been to divide the coalition; those who issued it must be bitterly disappointed with the result. With one possible exception—Morocco—all members of the coalition, and all who are contributing to the effort, were clear about the fact that the offer was inadequate. Since then, various efforts have been made to qualify it. The Iraqi authorities themselves sent me the text of the statement, with an English translation, in which they referred to Iraq's readiness "to deal with"—not "accept" —"resolution 660 . . . including withdrawal". They then said that the first step required to implement Iraq's pledge "regarding withdrawal will be linked to the following". Any suggestion that there is no linkage, or that the Iraqis have accepted resolution 660, is completely refuted by the Iraqis' own translation of their own document. Any attempt to qualify that is obfuscation.

What we need now is a further clear, unconditional announcement, backed up by the kind of concrete steps —and the decisive proof that the things concerned are actually happening—to which I have referred. I do not think that, in the present circumstances, it would be at all sensible or right for us to be deflected from the operations. This may well be an attempt to gain time—to enable Saddam Hussein to reinforce and re-equip the army of aggression, the military machine now sitting in the desert

[Mr. Hurd]

and occupying Kuwait. I cannot think that even the right hon. Member for Chesterfield (Mr. Benn) would think it sensible to fall into that trap.

Mr. Paul Channon (Southend, West): First, has my right hon. Friend any more news about British military personnel in Iraqi hands, about whom there is much disquiet? Secondly, does he think that it is still appropriate for television correspondents to be in Baghdad when the news that we are receiving from them is clearly influenced largely by Iraqi Government propaganda? That is causing massive disquiet among our constituents.

Mr. Hurd: We are very much exercised by the first point. One of the cruellest things that the Iraqis have done is to give certain information about allied prisoners of war, with no corroboration or information being given through the proper channels in accordance with the Geneva conventions, to us and the relatives of those concerned. We are pressing the president of the Red Cross daily on that subject: we pressed him hard when he was in London a few days ago. It is not his fault that the Iraqis have denied access, but it is a particularly cruel breach of their obligations.

As for journalists, that must be a matter for the broadcasters and newspapers concerned. This is one of the things that distinguishes us from the regime with which we are dealing. It is very important that those broadcasters and newspapers that send journalists to Baghdad should ensure, in the case of anything published—whether in print or on the screen—that the public are fully aware of the restrictions on what they are able to do, of the restrictions on what they are saying and, perhaps even more important, of the restrictions on what they are not able to see and do. The Government have made that crucial point —I think perfectly correctly—to those concerned.

Dr. David Owen (Plymouth, Devonport): May we be assured that international measures to assure peace and security in the region are absolutely vital before sanctions can be lifted, even if there were to be, thankfully, a total and unconditional withdrawal from Kuwait? Would that mean on-site inspection of any nuclear, biological or chemical installations? Would there be a ban on all missiles capable of reaching capitals in the region?

Mr. Hurd: The right hon. Gentleman is moving ahead from the circumstances in which fighting might stop, with which I have already dealt, to the circumstances in which sanctions would be raised and normal relationships re-established with Iraq. However, the right hon. Gentleman is perfectly right—I cannot give specific details this afternoon—that when we move to the second phase and consider how we might restore relations with Iraq, the questions that he mentioned would have to be considered before we did so.

Rev. Ian Paisley (Antrim, North): Does the Foreign Secretary agree that it needs to be reiterated over and over again that if the war is to end and peace is to come it must be on the clear foundation that aggression does not pay? Saddam Hussein must clearly see and learn that his rape of Kuwait will bring no profit to him whatsoever.

Mr. Hurd: The hon. Gentleman is entirely right in what he says and the way in which he says it. I entirely support what he says.

Ms. Clare Short (Birmingham, Ladywood): Does the Foreign Secretary at least welcome the Soviet initiative, or is he not looking for a diplomatic solution because he wants the war to spread from Kuwait into Iraq? Is not the bombing of sewage systems, water and medical facilities for Iraqi civilians a breach of the Geneva convention? Will he please reconsider the way in which Iraqi civilians are being denied a decent human life?

Mr. Hurd: I welcome any effort that is designed to bring about an end to this war, through the fulfilment of the United Nations resolutions. We do not have details of any proposals that the Soviet Union may have put to Mr. Tariq Aziz today in Moscow. We are in touch with the Soviet authorities and I discussed the matter with Mr. James Baker just before I came to the House. We do not have those details, but that is the test. It is a test that the Soviet Union has emphasised itself in all its recent exchanges.

As for the second serious point that the hon. Lady raised, the objective of the coalition forces in these operations is to liberate Kuwait, which means weakening and reducing the strength of the Iraqi military forces. That obviously involves communications, logistics, supply lines. Every effort is made to make sure that in attacking those targets—which are perfectly legitimate for the general aim —danger, damage and loss of life to civilians, which cannot be entirely avoided, is kept to a minimum.

Sir Michael Marshall (Arundel): Does my right hon. Friend accept that there is an element of absurdity in seeking to negotiate by means of Baghdad radio? Is it not clear, as my right hon. Friend said, that the elements here suggest that delay, or seeking to divide the allies, is the only reason behind this? Are not there ample opportunities to take the matter where it should go—to the United Nations, where the matter could be discussed in direct diplomatic terms?

Mr. Hurd: My hon. Friend is right. I do not think that one can carry the discussion very far, due to the way in which the revolutionary council started it. If it were willing to come forward not just with an assurance but with proof that the resolutions are being carried out, that would change the situation.

Mr. D. N. Campbell-Savours (Workington): The Foreign Secretary is absolutely right to resist the siren voices of those who want to restrict what journalists in Baghdad publish and transmit. Is he prepared to ask the British media why they are not transmitting more material about the thousands of houses damaged in Israel, the 500 Israeli civilian casualties, the property damaged in Saudi Arabia and the torturing, murdering and crucifixion of Kuwaitis? Is not that what the war is about and should not the British media concentrate on a few more reports on those aspects of the war so that we may have more balanced reports?

Mr. Hurd: I entirely agree with the hon. Gentleman, particularly about Kuwait. There was a good deal of publicity about Tel Aviv and Israel, but by far the greatest suffering is being, and has been for many months, inflicted on the people of Kuwait. Plenty of material is available to

journalists, even though they are not allowed to go there. They should make it clear that they are not allowed to go there and make the greatest possible use of existing material.

Mr. Ivan Lawrence (Burton): Is it not clear that this frantic fluttering in the diplomatic dovecotes every time Saddam Hussein throws us a crumb can only lead him to suppose that our determination to defeat him is not complete, with the result that the war will continue and even more lives will be lost?

Mr. Hurd: I agree with my hon. and learned Friend's realistic assessment of what has happened so far. If Iraq's will to fight is crumbling to the point where it withdraws from Kuwait, the position will change. However, my hon. and learned Friend is right to say that there is no evidence, as of today, that that is happening.

Mr. Jim Sillars (Glasgow, Govan): Is the Secretary of State aware that, in the past 10 minutes, he has put forward two possibilities for Baghdad's statement on Friday: first, it may have been designed to split the coalition and, secondly, it may have been designed to engineer a ceasefire so that Iraq could re-equip its military forces for a continuation of the conflict? Is there not a third possibility, that the Iraqi régime may be signalling that it wants a way out of the difficulty in which it has placed itself?

Mr. Hurd: The first two possibilities, although not contradictory, are more likely than the third. Let us suppose, however, that the hon. Gentleman is right. In the past few days, to put the matter beyond doubt, the main leaders of the coalition have sketched how Iraq would act.

Mr. Peter Viggers (Gosport): Does my right hon. Friend agree that any person who is uncertain about the imperative need for military action in Kuwait should re-read the Amnesty International report, which makes it clear that the Iraqi Government have been using torture and murder as weapons of state? Will he encourage journalists to re-read that document and give it further publicity?

Mr. Hurd: Indeed. That document is now some weeks old. However, journalists should also go to Taif or the eastern province and listen to Kuwaitis whose cousins and nephews have been shot in the past few weeks for no crime but simply as part of the business of destroying Kuwait and torturing its people. There are plenty of anecdotes that can be checked and proved. Such an element is missing from much of the reporting.

Mr. David Winnick (Walsall, North): If we should all be concerned about innocent people being killed in bombing raids on Iraq, as I am, should we not be concerned about the continuing atrocities that have been carried out in Kuwait—deliberately, not by mistake—by the occupying forces since 2 August? Despite the rhetoric from Baghdad, is it not clear that either Saddam Hussein leaves Kuwait with no ifs, buts or conditions of any kind, or the allies will get him out? The choice is entirely up to him, and I imagine that there is little time left for him to make that choice.

Mr. Hurd: As usual, on this subject, the hon. Gentleman is entirely right.

Mr. Tim Rathbone (Lewes): Does my right hon. Friend accept that the vast majority of people entirely support his analysis of and conclusions about the message received last Friday? Does it reveal any split in the Iraqi Government in terms of their attitude towards the war?

Mr. Hurd: There has been speculation, it is tempting speculation, but I am afraid that we have no evidence to sustain it.

Mr. Ken Livingstone (Brent, East): Does the right hon. Gentleman have any comment to make on today's statement from the BBC monitoring unit at Caversham that it misinterpreted its first translation of the statement, but today it has made it clear that there is no linkage to conditions? For the first time, Saddam Hussein has recognised the existence of Kuwait and talked about withdrawal. Would it not have been better to seize upon his comment, build on it and widen it rather than to continue the slaughter?

Mr. Hurd: I have tried to help the hon. Gentleman. I prefer to rely on the translation that the Iraqis have given me. It proves two points beyond doubt: first, that the Iraqis do not accept resolution 660—they talk simply about their readiness to "deal" with it—and, secondly, that a pledge by Iraq about withdrawal "will be linked". That is the Iraqi translation into English of their statement. It puts the point beyond doubt.

Mr. Chris Butler (Warrington, South): Will my right hon. Friend reassure me that, when it comes to repatriation of Iraqi prisoners of war, Iraqi deserters will not be rendered up to Saddam Hussein or to the Baath party?

Mr. Hurd: Yes. When the time comes, that will be one of the necessary complications of the matter.

Miss Kate Hoey (Vauxhall): Is the Secretary of State aware that the Pentagon believes that the Al-Rashid hotel in Bagdad has a military bunker? Is he further aware that that is where the journalists who are covering the war in Iraq, in difficult circumstances, are living? Can the right hon. Gentleman give a categorical assurance that the Al-Rashid hotel will not be bombed?

Mr. Hurd: I do not think that the House would expect me to pronounce on that matter. It is clear, and was clear for a long time before the fighting began, that Saddam Hussein has no compunction about placing innocent people in positions of great danger.

Mr. David Tredinnick (Bosworth): My right hon. Friend may not be aware that a constituent of mine is so incensed by the BBC coverage of propaganda from Iraq that he has described the BBC as the Baghdad Broadcasting Corporation. Will my right hon. Friend issue further guidance on this aspect?

Mr. Hurd: The BBC is well aware of the reactions to its reporting. We have drawn the BBC's attention to the point that I specifically mentioned. We have also drawn its attention to the point made forcefully to my right hon. Friend the Prime Minister in Germany by service families about the amount of operational reporting. We thought it right to make those two points to the BBC.

Mr. Stuart Bell (Middlesbrough): Is it not a fact that all Saddam Hussein's diplomatic objectives over the past month have resulted in failure? He has tried to involve Israel in the war by launching Scud missiles attacks on Tel

[Mr. Stuart Bell]

Aviv and Haifa. He has tried to detach the forces of Saudi Arabia, Egypt and Syria from the coalition. He has tried to involve Iran by sending his MiGs over its soil. Now he has tried to detach the Soviet Union from supporting the United Nations resolutions. He has failed in all four.

Is it not a fact that, since the beginning, the Soviet Union has been firm in its support of the United Nations and its resolutions? If the Soviet Union now uses its influence on its erstwhile friend and ally, Iraq, so that it complies fully with resolution 660, is that not the best for which we can hope in this situation?

Mr. Hurd: I am glad that the hon. Gentleman made that point. One of the things that slightly irritates me about several of the commentaries that we must read or listen to is their portrayal of Saddam Hussein as a subtle and clever operator who is constantly outwitting us. As the hon. Gentleman said, he has tried just about every means available to him to divide the coalition, but has failed. I am constantly being told that the coalition is about to split up or dissolve, but it has not done so. I agree with the hon. Gentleman: I do not think that it will.

Sir Bernard Braine (Castle Point): Is my right hon. Friend aware that many Members are receiving letters expressing revulsion for the broadcasts from Baghdad which cannot be ignored? There is a war on, appalling atrocities have been committed, and, while we are awaiting Saddam Hussein's withdrawal from Kuwait, is not it possible for the media to give some expression to the relatives of the Kuwaitis who have suffered torture and execution and appalling damage to their property by the occupiers?

Mr. Hurd: I entirely agree with my right hon. Friend. That point has come through strongly in the House today, in letters from our constituents and in our comments.

Mr. David Trimble (Upper Bann): Contrary to the view expressed by the hon. Member for Middlesbrough (Mr. Bell), I get the impression that within the Soviet system this weekend there was a certain amount of backsliding on this issue, as on other issues. Will the Foreign Secretary make it absolutely clear that any Soviet initiative that might be forthcoming will be regarded solely in terms of whether it fulfils the United Nations resolutions and that no question of giving help to Mr. Gorbachev to achieve diplomatic success will enter the picture? Given the difficulty that Mr. Gorbachev seems to have had in recent months controlling his military and security forces, I should like to be assured that measures will be taken to ensure that there is no surreptitious aid from the Soviet military to Iraq.

Mr. Hurd: Those are all fair points. At the Security Council, the Soviet Union has been among the most active in bringing about these resolutions, including the last one, and in insisting that they be fulfilled. Clearly President Gorbachev wishes to be active and agile in trying to find ways to peace. He and his representatives at the United Nations have set the test, and I agree with the hon. Gentleman that we must apply it.

Mr. Jonathan Aitken (Thanet, South): What exactly does my right hon. Friend think that Mr. Gorbachev is up to with Mr. Tariq Aziz in Moscow? In this age of glasnost, does not it seem a little strange that the Soviet Union has not sent London or Washington any details of the peace plan that Mr. Aziz is supposed to be taking back to Baghdad? In the absence of those details, is my right hon. Friend confident that they do not involve any backsliding on the United Nations resolutions?

Mr. Hurd: President Gorbachev wishes to keep the door open for Soviet diplomacy to produce a breakthrough—he certainly has that intention—and is trying all the time to find a way of doing that. The test that my hon. Friend would like to apply is the test that the Soviet Union has set. That is why I am reasonably confident that any proposals that it produces will fall within the Security Council resolutions that it helped to put forward.

Mr. William Powell (Corby): Although it is encouraging to note that Iraq, a member state of the United Nations, has at last noticed the existence of Security Council resolution 660, which was passed on 2 August, does my right hon. Friend accept that events have moved on and that there have been 11 further United Nations resolutions, the most important of which is not 660 but 678, which lays down the objectives of the withdrawal from Kuwait of the occupying force, the re-establishment of legitimate government and the restoration of peace and stability to the area?

Mr. Hurd: My hon. Friend is quite right. The Secretary Council resolutions have, as it were, built on each other. Resolution 660, which we are still waiting to be accepted, mentioned immediate and unconditional withdrawal.

Mr. Stuart Randall (Kingston upon Hull, West): Is not the reality of the situation that we cannot be deflected by nonsensical and absurd peace proposals and statements from Baghdad but must adhere to the UN resolutions, that we must get Saddam Hussein out of Kuwait and that there can be no linkage? There have been 50,000, 60,000 or 70,000 sorties, yet the number of innocent people killed has been minimal. We should compliment the Royal Air Force on its performance.

Mr. Hurd: The hon. Gentleman is right in everything he said. I do not suppose that there has been any campaign in modern warfare which has been so deliberately and successfully targeted on the objectives, which are those of the United Nations.

Dr. Dafydd Elis Thomas (Meirionnydd Nant Conwy): Does the Foreign Secretary accept that there is no difference between us in our determination that Iraq should withdraw from Kuwait? The difference is about whether that can be achieved without the casualties that would result from a ground war. Will the right hon. Gentleman confirm that the word "conditions" does not occur either in the Arabic or in the English text of his translation? Would not it be a disaster if troops were committed to a ground battle because of a failure to communicate and a mistranslation?

Mr. Hurd: I do not think that there is any question of a mistranslation. If someone proposes to the hon. Gentleman transaction A and says that it is linked with transaction B, that is a condition.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend accept that if Saddam Hussein did not think that allowing BBC, ITN and CNN

reporters to stay in Baghdad was a good idea, he would have them out tomorrow? Is it not time that the Government and all Governments of the free world told those so-called news reporters that they should get out instead of being part of Baghdad's propaganda service?

Mr. Hurd: I should not go as far as that, but it is crucial that no one listening to or reading reports from Baghdad should suppose that they are listening to or reading the reports of unfettered journalists. They are not. I believe that it is essential that all those concerned take not just the occasional opportunity but every opportunity to make that clear.

Mr. Jimmy Hood (Clydesdale): Does the right hon. Gentleman agree that the American people receive far more factual Gulf information than we do from the BBC and ITN? Some of the hysteria on the Conservative Benches is now also occurring in Congress where they are calling for the banning of CNN and NBC reporting. Will the right hon. Gentleman assure us that there will be no further pressure on the BBC, as reported in the *Daily Mail* today, to curtail the provision of factual information to the British people so that they can judge for themselves what is being done in their name?

Mr. Hurd: I think that I have already answered that point. We are winning the argument in this country and throughout the coalition. We have no reason to be frightened of the argument or all the bits and pieces that go into the argument. The people who should be recoiling from the discussion are those who are losing. Those of us who argue in favour of collective security and the operation and against falling into the deceptions practised out of Baghdad are carrying opinion with us. It is because there is an open debate which we are winning that I have confidence in what we are saying.

Mr. Robert Adley (Christchurch) : When my right hon. Friend mentioned a moment ago what people hear and read, he omitted—I am sure inadvertently—to mention what they see. I do not share the demand for general censorship, but does my right hon. Friend agree that one of the best ways to deal with the problem on television would be to invite the broadcasting authorities, whenever they have reports from their reporters in Baghdad, to put the word "censored" in the top left-hand corner of the box so that everyone who is watching will be reminded that they are seeing censored material? That would not prevent the material from being shown, but people would constantly have that reminder before them.

I stayed in room 1311 at the Al-Rashid hotel. Will my right hon. Friend explain to the hon. Member for Vauxhall (Miss Hoey) that the proposition that merely walking into the basement of the hotel enables one to know whether it is a command bunker is ludicrous? If it is, it is unlikely that the Iraqi military using it would walk through the lobby in uniform.

Mr. Hurd: My hon. Friend was on the right path in the first part of his question. It is not for me or for us to prescribe exactly how the points should be made. Any information from Baghdad should be labelled for what it is, not just occasionally but at all times. I had better not start analysing the bedrooms or other rooms of the Al-Rashid hotel.

Mr. Harry Cohen (Leyton): If the Iraqi forces were to commence withdrawal, would they be bombed? Does the Foreign Secretary accept United Nations resolutions 660, which states that those forces could go to the positions that they occupied on 1 August 1990? If so, was not the response of President Bush peculiarly ill judged when he said that the only choice was war and annihilation or the assassination of Saddam Hussein? Does not that show that the war aims go far beyond the liberation of Kuwait and beyond implementing United Nations resolutions?

Mr. Hurd: The hon. Gentleman is entirely distorting what President Bush said, and I heard what President Bush said as well as the hon. Gentleman. President Bush did not say that at all. The Iraqi troops need to withdraw. That is what the United Nations requires. Therefore, a simple assurance to withdraw is not sufficient. We need what I have described as decisive and irreversible proof that that is happening. We are not in that position yet.

Mr. Andrew Rowe (Mid-Kent): Is my right hon. Friend aware that my constituents at least regard with considerable admiration the way in which he is conducting his part in this great effort? Does he accept that, with all his skills, it may be very difficult for someone as decent as him or for people as decent as his colleagues in the coalition to understand fully the mind of a paranoid despot like Saddam Hussein? Can he assure us, therefore, that the mechanisms by which Saddam Hussein can be assured that if he withdraws he will not be bombed are foolproof, even against a man as paranoid as Saddam Hussein?

Mr. Hurd: Exactly. My hon. Friend is quite right. That is why it would have been a mistake for me to be too specific in answering an earlier question. We have to make quite sure that withdrawal is withdrawal and not a pretext for regrouping.

Mr. Dennis Skinner (Bolsover): Why does not the Foreign Secretary admit that his statement is three days late? It should have been made on Friday because the decision to withdraw in accordance with United Nations resolution 660 was made at 11.30 am and a statement was made suggesting that the Foreign Secretary would make a statement to the House. One is driven to the conclusion that he did not make a statement because he was waiting for President Bush to declare on the issue. Is it not a scandal that the Government are having to kowtow to the Americans before they open their mouth? The moment that President Bush said that it was a cruel hoax, the Prime Minister of Britain said that it was a sham—following in Bush's footsteps from beginning to end. The slaughter is continuing and the Americans are running the war. The United Nations has been left far behind without any consideration.—*[Interruption.]*

Mr. Speaker: Order. I did not hear what was said, but I hope that no unparliamentary expressions were uttered from below the Gangway.

Mr. Hurd: There are two reasons why I did not make a statement on Friday. First, I was meeting farmers in my constituency—which is an entirely respectable occupation —and, secondly, if I had made a statement on Friday morning, I would have done so on the basis of very

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incomplete and imperfect reports. That would have been a foolish thing to do. We now have the evidence, and the House can make a judgment.

Mr. Den Dover (Chorley): Will my right hon. Friend confirm that, following the completely unacceptable remarks from Iraq on Friday, the allied forces have no intention of winning the war and then losing the peace?

Mr. Hurd: That is entirely right. My hon. Friend makes the point well.

Mr. Jeremy Corbyn (Islington, North): Does the Foreign Secretary accept that he made a serious mistake on Friday by not recognising the statement by Iraq's Revolutionary Command Council as a major step forward? The least that he could have done was to order a halt to the weekend bombing raids which have resulted in even more civilian casualties. He could have shown his true concern for peace in the region by flying to Moscow to meet Tariq Aziz to see whether there was a basis for a political settlement. Did he not do that simply because the war aims have changed to the invasion of Iraq and its total annihilation, as indicated by President Bush at the weekend?

Mr. Hurd: Either the hon. Gentleman lives in a wholly unreal world or he does not want us to reverse the aggression. If any of us had done what the hon. Gentleman suggests, it would have enabled the Iraqis to benefit from a pause in the bombing, and they would have been able to recover and re-equip. How many extra casualties on our side does the hon. Gentleman contemplate we should risk while pursuing this will-o-the-wisp?

Mr. Julian Brazier (Canterbury): Does my right hon. Friend agree that, while the vast majority of civilian casualties have been caused by the Iraqis, it is nevertheless impossible for us to tackle a war machine the size of the Iraqi army without the risk of some civilian casualties? At this very moment our pilots are taking risks with their lives in order to minimise casualties. Does my right hon. Friend also agree that those in the media who harp on such casualties invite Saddam Hussein to put more civilians into military installations?

Mr. Hurd: My hon. Friend is entirely right on his first point and puts it very well. My reply to his second point is that in pursuit of his wicked objectives Saddam Hussein seems to need no encouragement from anybody to put his own civilians and prisoners of war and others in danger.

Mr. Paul Flynn (Newport, West): Will the Secretary of State confirm the disturbing report at the weekend that the Americans have used the fuel-air explosive weapon in bombing raids on Kuwait? Does he know that, according to reports, such a weapon had been in the possession of Saddam Hussein and that it had been sold to him by Industrias Cardoen of Chile? If this terrible weapon is used, is not there a danger that the war will escalate and that Saddam Hussein will be tempted to use weapons that have hitherto not been used in battle? Was the dropping of the fuel-air explosive weapon carried out in collaboration with other members of the coalition?

Mr. Hurd: I am afraid that I cannot comment on that. I have no information.

Mr. Teddy Taylor (Southend, East): In the event of Iraq withdrawing from Kuwait and returning prisoners of war, is it the position of the allies that the alleged link conditions and others will be discussed without commitment at some international gathering? Does the Foreign Secretary think that it would be appropriate to pay some small tribute to the Government of Iran for their constructive role? They have played that role even though Iran itself was invaded in almost exactly the same bloodthirsty way by Iraq and received precious little help and sympathy from anyone.

Mr. Hurd: The Government of Iran have announced and, as far as I can see, have held to their declaration of neutrality. They are trying, like the Soviet Union, to produce a peaceful solution, but it has been clear that Iraq must unconditionally withdraw from Kuwait. Iran has been anxious to ensure that Kuwait does not of its own volition make any territorial concessions to Iraq.

My reply to my hon. Friend's first point is that we have always said that certain matters in the Iraqi list will have to be considered. Arab-Israel is, of course, the outstanding one, but there are others. Iraq appears to be making claims against Kuwait, but when United Nations resolution 660 is implemented the Kuwaitis for sure will have massive claims to make against Iraq for the terrorising of their country. Of course there are matters which will have to be discussed when the war is over, but that is quite different from the specific linking in the Iraqi document.

Mr. Tam Dalyell (Linlithgow): May I ask the Foreign Secretary a question of straightforward fact? Before the American President and the British Prime Minister dismissed the Iraqi proposals, did they consult either the Security Council or the Secretary-General of the United Nations? Are the young men that we on the Green Benches are sending to be maimed or possibly to die part of a United Nations force, or part of a British and American force? Well, was the United Nations consulted before the British Prime Minister and the American President dismissed the Iraqi proposals? The answer is surely, "Yes, it was" or "No, it was not."

Mr. Hurd: No, it was not consulted because we are operating under United Nations Security Council resolution 678, which authorises member states——

Mr. Dalyell: The United Nations was not consulted.

Mr. Hurd: Perhaps the hon. Gentleman will listen to the reply. Resolution 678 authorises member states to take whatever means are necessary to implement the resolution. That is perfectly straightforward. Nobody in New York —neither the Secretary-General nor anybody else— expects the allies, who comprise not only Britain and America, but more than 30 nations, to operate in any other way. The Security Council is now debating the matter. As I said in my statement, most of those who spoke in the debate after the Iraqi announcement reacted in the same way as we have.

Mr. John Wilkinson (Ruislip-Northwood): Inasmuch as a mention by Iraq for the first time of withdrawal, albeit hedged about with many unacceptable conditions, was the direct consequence of the allied naval blockade, air operations and the tightening of the allied army's noose around the Iraqi armed forces within Kuwait, is it not the case that rather than being seduced by a will-o-the-wisp of

diplomacy, Her Majesty's Government, along with the allies, should intensify operations until they reach a successful conclusion?

Mr. Hurd: We have no intention of being deflected from operations unless or until it becomes perfectly clear that the intentions, wishes and requirements of the United Nations are being met—not simply by an assurance that they will be met, but by decisive proof that they are being met.

Mr. Peter Bottomley (Eltham): As the BBC has itself said that its correspondents are not approved to go where they want in Iraq when they want and that they cannot enter Kuwait, would it not be a good idea if my right hon. Friend could arrange for the dissenters in this House to go to Baghdad to explain the policy of the official Opposition, the policy of the House and the policy of the United Nations and every member of the Security Council, which is that Iraq must get out of Kuwait unconditionally? To hear that explained to the Iraqis by people such as the hon. Member for Linlithgow (Mr. Dalyell) and his right hon. Friend the Member for Chesterfield (Mr. Benn) would be a good propaganda coup which the BBC and others would be free to report.

Mr. Hurd: My hon. Friend has lodged that idea; it is for others to take it up.

Mr. Benn: As I have been referred to, may I say that I went to Saddam Hussein and said that, but when I returned the BBC did not even interview me to find out what I had discovered.

Points of Order

Mr. John Wilkinson (Ruislip-Northwood): On a point of order. We look to you, Mr. Speaker, to defend the rights of this House, and I seek your guidance.

This morning two outrages were perpetrated in the capital, one at Paddington station and the other at Victoria. Hon. Members will be desirous of tabling a private notice question, conscious of the fact that those terrorist attacks took place in the constituencies of other hon. Members. Do you agree, Mr. Speaker, that it might have been more appropriate for my right hon. Friend the Home Secretary to have come to the House to explain how Her Majesty's Government intend to defeat terrorism instead of giving statements outside this place to the press and to others?

The Minister of State, Home Office (Mr. John Patten) *rose*——

Mr. Speaker: Order. The point of order was made to me. Although I do not wish this to develop into a statement, I shall call the Minister of State, Home Office to respond.

Mr. Patten: Further to that point of order, Mr. Speaker. I fully understand the strong feelings of my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) about this issue, but the decision taken by my right hon. Friend the Secretary of State, after consultation through the usual channels, was, first, that to deny terrorists the oxygen of publicity, which would be brought about by ventilating these issues in this place when they are ventilated quite enough in the outside world by the media, was a considerable step that this House could take. Secondly, statements are not made in this House on every occasion when there is a murderous outrage in Northern Ireland. It was for those two reasons that my right hon. Friend took his decision. I hope that my hon. Friend the Member for Ruislip-Northwood appreciates those reasons.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. As I was referred to in personal terms, may I explain something? I have fired a gun at a tank and I fear for thousands of young men who might lose their lives. Therefore, I think that people should go in any official capacity to talk about this before endless youngsters are sent to be maimed or——

Mr. Speaker: Order. I allowed the hon. Gentleman to make that point of order because the House accepts that he holds his view strongly, and he has every right so to do. I hope that, for that reason, no unparliamentary expressions were directed to him.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Mr. Speaker. While I fully understand and appreciate the points made by the Minister of State, Home Office and agree that the matter could be dealt with in that way, I feel that we might be more reassured if the Minister would say to us that, at some time, the House will debate the safety of the public in transport systems, both under ground and over ground.

Mr. Speaker: I am sure that the Minister of State, Home Office will have heard the hon. Gentleman's point.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Speaker.

Mrs. Teresa Gorman (Billericay): On a point of order Mr. Speaker.

Mr. Speaker: Order. We have a heavy day ahead of us and I understand——

Mrs. Gorman *rose*——

Mr. Corbyn *rose*——

Mr. Speaker: Order. Please sit down; I am on my feet. We have a heavy day ahead of us and we should try to finish the business before 7 o'clock, when we shall have to move on to the opposed private business. I shall hear the hon. Member for Billericay (Mrs. Gorman), but I hope that she will be brief.

Mrs. Gorman: Further to the point of order raised by my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson). Could the Minister, while he is here, say how, if we are not to discuss the matter of the terrorist outrages perpetrated this morning, he intends to deal with the point raised by my constituents that, by——

Mr. Speaker: Order. I cannot have that. The hon. Lady is making a point with which I cannot deal because it is not a point of order for me. I am sure that her best course would be to see the Minister and get his explanation.

Mr. Corbyn: On a point of order, Mr. Speaker. You will be aware from the exchanges on the statement that we have just heard that Tariq Aziz is returning to Baghdad with proposals from President Gorbachev. May we have an undertaking from the Government that they will make a further statement on the possibility of obtaining a ceasefire on the basis of the response to President Gorbachev's initiative for peace, which appears to have been ignored by both the British and American Governments?

Mr. Speaker: I am sure that that point will have been heard by the Leader of the House, who is on the Front Bench.

Statutory Instruments, &c.

Mr. Speaker: By the leave of the House, I shall put together the Questions on the five motions relating to statutory instruments.

Ordered,

That the Traffic Areas (Reorganisation) Order 1991 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Agricultural, Fishery and Aquaculture Products (Improvement Grant) Regulations 1991 be referred to a Standing Committee on Statutory Instruments, &c.

That the Standard Community Charge (Scotland) Amendment Regulations 1991 (S.I., 1991, No. 41) be referred to a Standing Committee on Statutory Instruments, &c.

That the Community Charges (Registration) (Scotland) (No. 2) Amendment Regulationse 1991 (S.I., 1991, No. 51) be referred to a Standing Committee on Statutory Instruments, &c.

That the Housing Benefit (General) Amendment No. 3 Regulations 1990 (S.I., 1990, No. 2564) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

WELSH AFFAIRS

Ordered,

That the Matter of Rural Wales, being a matter relating exclusively to Wales, be referred to the Welsh Grand Committee for is consideration.—*[Mr. Patnick.]*

Point of Order

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. You have heard two different statements concerning the media. First, you heard Members deploring what was being said by the BBC and the ITV in Baghdad and Ministers defending the right of the two companies to make such reports. Then we heard that the House should not be allowed to debate the two calamities at Paddington and Victoria. There seem to me to be two interpretations of Standing Orders. Some people believe that it is wrong for the media to be reporting in Baghdad, but that when bombs are set off in London the media should be allowed to report extensively what has happened in Victoria and Paddington, although Parliament has no rights in the matter. Is that a new Standing Order?

Mr. Speaker: Order. That has nothing to do with Standing Orders. It is a decision by the Government.

Orders of the Day

Maintenance Enforcement Bill *[Lords]*

Order for Second Reading read.

4.34 pm

The Minister of State, Home Office (Mr. John Patten): I beg to move, That the Bill be now read a Second time.

I am certain that hon. Members on both sides of the House will agree that children and adults benefit from secure and stable relationships. Sadly, however, we must all recognise that some marriages and other relationships with children break up. As a result, both parties involved suffer emotionally. They certainly suffer financially. When the Bill has received parliamentary scrutiny—I hope that it will receive some all-party agreement as well—and been enacted, it will have an effect on many men, women and children. If it is enacted—it is my hope, of course, that it will be—some people will be affected extremely beneficially.

The purpose behind the Bill is to concentrate on ensuring that those whom the courts have directed to pay maintenance do so, and do so regularly. Maintenance payments should be made to those who the courts have decided should receive that maintenance. Essentially, that is what the Bill is about.

Children are often found to reside in the middle of matrimonial disputes and disputes where children are involved as a result of relationships where there were no marriages. I think that we all agree that children are almost always innocent and often the injured parties in such break-ups. As each Session passes, more and more is being done by the House to protect children. For example, the Children Act 1989 received much all-party assent, and it is soon to come into force. It has already done an enormous amount to forward the cause of children.

Secondly, there is the Criminal Justice Bill, important clauses of which concern the proper protection of child victims in court following the report of Judge Pigot. Again, that Bill will greatly help the cause of children. It will come before us for its first day of consideration on Report on Wednesday. The provisions to which I have referred have been widely welcomed by hon. Members on both sides of the House. I know in particular that the hon. Member for Newcastle-under-Lyme (Mrs. Golding) has a long-standing interest in these matters, which we all respect.

Thirdly, there is the critically important Child Support Bill, which has come from my right hon. Friend the Secretary of State for Social Security and was introduced in another place on Thursday of last week.

All in all, the three measures, plus the short but important Bill before us, represent an integrated package to try to help and better the position of children who are so often caught in so many different ways and who are almost always entirely innocent parties.

Dame Elaine Kellett-Bowman (Lancaster): Will my right hon. Friend give way?

Mr. Patten: I give way to my hon. Friend with great pleasure.

Dame Elaine Kellett-Bowman: As someone who practised in the divorce courts, it seems to me that in divorce courts the agony that is experienced by children lies in the prolongation of the arguments that turn on them. They are treated almost like dogs quarrelling over a bone when they are caught up in the middle of a dispute. That is a tragedy.

The position of children when disputes take place will be improved by the Bills that are before this place and another place. If the Maintenance Enforcement Bill is enacted, women will know that moneys will be coming to them. That will enable them to build a life for themselves without having to apply for social security and without having moneys docked. It is clear that the Bill is extremely important for women.

Mr. Patten: My hon. Friend has considerable interest in these matters. I am sure that she knows more about civil law and divorce law than someone such as myself, who is neither a barrister nor a solicitor. My hon. Friend is right, if I may say so, when she holds that it is delay in settlement that so often harms children. They are harmed also when they are caught within what seem to be never-ending wrangles about whether the absent partner—it is usually the man, but sometimes it is the woman—should pay, should pay so much and should pay on certain dates. That harm often continues until the issues are sorted out by the courts.

It would be a mistake to regard the Bill—I know that the hon. Member for Kingston upon Hull, West (Mr. Randall) would not do this—as purely about financial provision. That might, however, be the view of some outside this place. The Bill's provisions will, of course, have an effect on the regularity of financial provision, but ensuring that that provision is adequate and that it is paid regularly will have a material and beneficial effect on children as they go through the appalling traumas that sometimes face them during marital break-down or the break-down of a relationship. That is why we have tried to assist those who have to struggle on by themselves economically after fragmentation of a family bond. That is why we have created a maintenance system to try to help families. I have in mind the work that has been done by the Department of Social Security, including that carried out by the Under-Secretary of State for Social Security, my hon. Friend the Member for Fylde (Mr. Jack), who is in his place on the Government Front Bench. Like any system, however, the maintenance system can always be improved.

As I have just said, the Child Support Bill, whose purpose is to help deal with exactly this issue, has just been introduced in another place. That Bill, when it is enacted, will radically alter the system of child maintenance. This Bill does not make such radical changes. Its purpose is rather more simple: to improve maintenance collection and enforcement in England and Wales—in particular, by giving new powers to the courts to help to ensure that payments are made regularly. We all know that regularity of payment is often just as important as the size of the award. Maintenance is no good to its intended recipient unless it is received—and received regularly, so that people may plan properly for themselves and their children. That is the point to which my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) referred, and I see that my hon. Friend the Member for Chelmsford (Mr. Burns) agrees that it is an important issue.

This Bill is being given a Second Reading at a time when another and much larger piece of legislation, in the shape of the Child Support Bill, is waiting in the parliamentary wings—if one may refer to another place as the wings. With your permission, Mr. Deputy Speaker, I shall allude briefly to the Child Support Bill. As those hon. Members who have studied the White Paper "Children Come First" know, the purpose of that Bill is to make changes to only one area of maintenance—child maintenance. The Child Support Bill will affect the whole area of child maintenance. That is its importance to children. It will deal with assessment, collection and the very important matter of enforcement. On the other hand, the very much smaller Bill that we are considering today is limited to collection and enforcement improvements. However, it will affect all maintenance orders—spousal as well as child maintenance.

Further—subject to parliamentary approval—the child support agency, which will be set up to administer the legislation, will come into full effect only in April 1996. The provisions of the legislation are expected to be relevant as interim measures until the function of child maintenance collection is completely absorbed by the child support agency. But the Bill will continue to be vital in respect of maintenance orders relating to spouses but not children. It will continue to be of fundamental importance. I can imagine no circumstances arising in the next few decades in which we might want to change it in respect of the collection of maintenance for spouses.

I am sure that, like me, all other hon. Members understand the emotional difficulties and distress that arise when relationships break down. However, though one might try to understand people who run away from their responsibilities, one has to recognise it as a simple fact that far too many people who are obliged to pay maintenance fail to do so. They evade payment in a cold and calculating way, and for as long as possible. They play the maintenance avoidance game with considerable cleverness and exceptional aptitude. It is true that sometimes things go wrong, and the absent spouse finds it impossible to pay as much as he or she would like. I realise that there are some absent spouses who would like to make greater contributions but are unable to do so. On the other hand, there are those who—to use the jargon of government—take a policy decision to go as far as they can and to pay as little as possible towards the upkeep of their children. I find that very difficult indeed to understand. It is those people—not the ones who need help—that this Bill is intended to deal with, in the interests of spouses as well as of children.

Mr. Stuart Randall (Kingston upon Hull, West): I totally agree with the principle that the Minister has just stated. I should like, however, to draw attention to a practical problem. Take the case of a man who remarries and has children by his second wife. Often such a man is under terrific pressure from the second wife and the children of the second marriage because of the maintenance order in respect of the first marriage. The wife and children of the second marriage may actually be living in poverty. I accept what the Minister has said about the need for a sense of responsibility, but I should like to know how he views this practical problem.

Mr. Patten: That emotional pressure can be very great indeed. I hope that it will be possible, during the debate on

the Child Support Bill, to examine such issues in rather greater detail. I realise that there may be great emotional pressures, but surely anyone who has taken on the responsibility of children should use all his endeavours to ensure that his responsibilities are met. Great acrimony can arise from responsibilities to a second wife or husband, but the children, who are in the middle, should not have to suffer. I know that the hon. Gentleman is aware not just of the economic deprivation but of the emotional turmoil sometimes caused by marital breakdown.

Mrs. Teresa Gorman (Billericay): Under this Bill, if I understand it correctly, the first charge on the absent parent's income—after tax and national insurance—will be his or her own living standards, followed by the second family, in preference to the first. Can my right hon. Friend clarify the situation?

Mr. Patten: That matter will undoubtedly be discussed in Committee. In addition, my hon. Friend may want to refer to it during our consideration of the Child Support Bill—the much bigger piece of legislation that was introduced in another place last Thursday.

I shall give a few figures with a view to putting some flesh on the bones of the economic and social problems facing those who fail to receive the maintenance that the courts have decided they should have. In 1989—I apologise to the House for the fact that the 1990 figures were not available—there were more than 80,000 enforcement actions in magistrates courts. Generally a woman—occasionally a man; sometimes a guardian or parent—has to go to court to secure enforcement of a maintenance order. In 1989, many such proceedings were abortive. All too frequently debtors pay their arrears at the last moment because of the threat of the court hanging over them. What happens in the intervening period? Children, mothers and fathers are put under considerable pressure, and the time and money of courts are wasted. That must stop.

In the rather bureaucratic language "This causes a great waste of court resources" lurk many of the delay problems that one encounters in the magistrates courts. It is entirely wrong that people should play the maintenance system and delay payments. It causes many problems for the courts. The Bill specifically targets those people who attempt to exploit the loopholes in the current system, or who are too disorganised or lazy, or simply too bad, to make regular support payments. Any reasonable means that can be found to foil maintenance default deserves the support of the House.

I shall give one example from the 80,000 cases that went to magistrates courts in 1989. That figure does not necessarily mean 80,000 individual people, because on some occasions people had to go to court more than once in the calendar year. The worst example that I found—it is not much worse than some—was in Somerset magistrates court. In 1990 that court had to take no fewer than 11 separate enforcement actions against one debtor. Such examples are repeated throughout England and Wales.

I hope that when I describe the Bill's main clauses hon. Members will realise that, although the kernel of this legislative nut is pretty uncomplicated and straightforward, the measure is necessarily wrapped up in some complexity. The Bill may seem somewhat long and complicated for its purpose. That is simply because the law on maintenance is contained in a sizeable number of statutes. Some hon. Members may say that maintenance enforcement and maintenance in general are ripe for consolidation. That may well turn out to be true in the fullness of time. On studying the Bill, my hon. Friends will probably find that there is a great deal of repetition. That is because the law on maintenance is not consolidated. That is a matter to which in the fullness of time we shall undoubtedly need to turn our attention.

Although the Bill deals mainly with magistrates courts' powers—much of the collection and enforcement of maintenance is done by those courts—the Bill gives similar powers to the county courts and the High Court. That continues the aims and ideas behind the widely welcomed Children Act 1989, which created a concurrent jurisdiction between the three types of court. Again, we are putting children first.

Clauses 1 and 2 contain the principal provisions of the Bill. They give powers to the High Court, the county courts or magistrates courts to specify the method of payment when making or dealing with a maintenance order. Those powers include entirely new powers to order that maintenance payments should be made by standing order direct to the creditor, or by an attachment of earnings order.

The first method—payment by standing order—will be particularly useful where a debtor is self-employed. On the face of it, the self-employed debtor is a difficult case because he or she cannot be the subject of an attachment of earnings order, especially if he or she is simply too lazy or too disorganised to make regular payments. Once the order has commenced, maintenance payments will become as regular as any of the other payments made by such debtors by that method. It would require a positive action to cancel the standing order.

Some hon. Members may be worried that the power to require a debtor to open a bank account in order that payments can be made by standing order is somewhat draconian. I do not believe that it is and perhaps I should give a word of explanation about the thinking behind it. It is not as draconian as it might first appear. The provision is vital if we are to prevent some debtors from continuing so successfully to play the system simply by dictating the method by which they will pay, or rather not pay. Unless that power is available, a large number of the people who may be involved in maintenance order actions—those who are self-employed—would effectively be able to escape any maintenance order enforcement.

My hon. Friends will probably notice that under the Bill no court is obliged to order that payments be made by standing order. There is no obligation. All the methods of payment given in the Bill are equally available. The Bill makes distinct provision for the parties and any person who may be the recipient of the maintenance, such as a grandmother or grandfather who is looking after the children, to tell the courts what method they prefer. There are four methods of payment—direct payment to the spouse, payment to the courts, payment by standing order and payment by attachment of earnings.

Mr. Lewis Stevens (Nuneaton): Has my right hon. Friend given any thought to the possibility of using direct debits? It may be possible at some stage to consider some type of indexation of maintenance payments. Direct debits have been left out. Is it possible that they will be put in?

Mr. Patten: The direct debit is an appalling thought on the face of it. It is not quite the same as a standing order, because either side has the power to vary the direct debit mandate. My hon. Friend makes an interesting point which we may have the chance to examine in Committee. Unless my hon. Friend the Member for Nuneaton (Mr. Stevens) is careful, he may find himself on that Committee. I do not say that in a threatening way. I shall think about his constructive suggestion, for which I am extremely grateful.

Most importantly, if the debtor can show to the court that there is a reason why he or she cannot open an account—for example, because every bank in the area in which he or she lives has refused to allow him or her to do so it will be impossible for the method suggested by my hon. Friend the Member for Nuneaton to be used, whether by standing order or direct debit. I make it clear to my hon. Friend that the power to which I refer does not interfere in any way with the banks' ability to run their business in the way in which they think best. If a debtor is ordered to open a bank account, the order will be against him, not a particular bank, to open an account on his or her behalf. In other words, the order will not specify where the account should be opened.

Mr. Randall: Further to the point raised by the hon. Member for Nuneaton (Mr. Stevens), clause 1(5)(b) suggests that payment can be made by standing order or any other form of payment. I am sure that that must include direct debits and other forms of crediting an account. In law those methods are the same to all intents and purposes, apart from direct debits, the mandate for which can be varied, as has been said.

Mr. Patten: There are technical difficulties about using direct debits because the debtor can vary the payment at any time without cancelling the order. That is a point to which we may return in detail during the undoubtedly long hours of the Standing Committee sittings.

Where a debtor is in employment, payment by attachment of earnings may be much the more effective method. At present that can be done only when the maintenance order is offered and the debtor consents, under the Attachment of Earnings Act 1971. I am advised that in only about 10 per cent. of cases in 1989 did people consent to having an attachment of earnings order made. That is a very small number.

I realise that some hon. Members are worried that the Bill will increase the number of attachment of earnings orders in existence and, consequently, the administrative burden that employers have to bear. I do not want to add to the burden on either large or small employers. I understand that fear. I have considered the matter carefully since the debates in another place.

We are urgently considering increasing the administrative charge that employers can deduct when complying with an order. It would be manifestly unfair if the level of charge that employers could apply were kept at perhaps its current level, which is less than the economic cost of making those orders. Consultation is proceeding. Lord Ferrers gave an assurance in another place on the matter. We are consulting the Confederation of British Industry and, I dare say, others on the issue. I hope that during the passage of the Bill through the House I shall be in a position to make an announcement about helping industry and business in that way.

What was said in another place bears repetition. We cannot depend on a debtor's consent to use such an effective method of maintenance collection, as fewer than one in 10 debtors have been prepared to give that consent. Last year consent was given in only 7,000 cases.

Clause 3 of the Bill has two parts. The first simplifies the procedure by which a creditor gives authority to a justices' clerk to take enforcement action on his behalf, when maintenance payments are made through a magistrates court. Under the present system specific authority must be given on each occasion that a default occurs. The Bill provides that a creditor can give a standing authority—like a standing order—to the court so that every time there is a default the necessary enforcement action can be taken. That will considerably help to smooth the processing of maintenance orders.

The second part of clause 3 has teeth. It is clear that sometimes people have been told to pay by a certain method but do not do so. Therefore, there needs to be some sanction. The Bill will impose a sanction of a sum up to a maximum of £1,000—people will have the chance to make representations about it to the court—if a person fails to pay by the method specified by the magistrates court. If there is no element of sanction, people will simply cock a snook at the court, as they do in so many cases at present, and—what is worse—they will badly hurt their spouse, child or children.

Mrs. Gorman: Will my right hon. Friend be clarifying the position of the 7,000 people who pay up? I imagine that there will be some among them who would prefer to pay directly to ensure that their privacy is respected. They might not necessarily want their employer to be involved. Does the Bill contain provision to enable such people to continue to maintain their privacy and to pay directly?

Mr. Patten: As I said earlier, there are five ways to pay: by attachment of earnings order, standing order, any other suitable banking instrument, payment direct to the court and payment direct to the creditor. Therefore, after due debate between the two sides before the magistrates, or in the county court or the High Court, it will be possible for payment to be made in that way.

Mr. Randall: Unless I misunderstood, I think that the hon. Member for Billericay (Mrs. Gorman) was referring to privacy when people have to pay by an attachment of earnings order. The Bill would result in other employees having access to some personal details—for example, the fact that someone is divorced. I do not think that the Bill ensures that there would be greater privacy, although the orders will be used far more in the future.

Mr. Patten: I think that the hon. Gentleman is right. We are trying to deal with this problem and to prevent 80,000 cases coming before the magistrates courts each year—with the emotional and financial problems involved. If an attachment of earnings order is the chosen method, a certain amount of information has to be given by the court. Such attachments may also be imposed by other means.

Clauses 4 to 7 give magistrates courts power to specify the method of payment when varying, reviving or enforcing a maintenance order. Clause 8 allows the justices' clerk power to amend payment when a person no longer claims income support or when he or she

subsequently reclaims benefit under section 24A of the Social Security Act 1986. That was a matter of concern to my hon. Friend the Parliamentary Under-Secretary.

Many maintenance orders come before magistrates courts for the purposes of reciprocal enforcement, either from other parts of the United Kingdom or from other countries. We have remarkably good reciprocal enforcement arrangements with a number of West African countries, with Czechoslovakia and with one or two central European countries, but we have remarkably bad arrangements with some of our western European partners. We are prepared to do the business on behalf of people whose spouses have fled to this country, but, alas, some of our western European partners are not prepared to help out in return.

Mr. Simon Burns (Chelmsford): I am pleased to learn about the reciprocal arrangements with a number of countries. Will my right hon. Friend give me some guidance on what could happen if a British court has made a decision on payments to a mother and child, the father goes to a country with which we have a reciprocal arrangement, but the mother does not know where he is in that country and cannot trace him? One of my constituents has a spouse in Australia. She cannot track down the home address of her former husband, so she cannot take him to court in Australia to have the British courts' maintenance agreement enforced.

Mr. Patten: I am extremely sorry to hear of that case and I hope that my hon. Friend will write to me with details about his constituent—perhaps he has already done so—which would give me the chance to look into the matter. Normally, in a country like Australia it should be possible to track down someone from social security records or residence records of various sorts.

For the benefit of my hon. Friend the Member for Chelmsford, I must explain how we do things in this country. A group of civil servants are seated, or lurking —however one wishes to describe it—in the Home Office and they make up the central authority. If someone comes to this country from France, for example, and does not pay his or her maintenance order to a spouse or children in France, a French court or the French Government can get in touch with the Home Office, and we do all we possibly can to track down the person, through whatever means are available to us, and to get an enforcement order specified by a British magistrates court on behalf of the French spouse and children. Our system and our record are second to none. However, we need to do more within Council of Europe countries to ensure that our western European partners do more to help people in Britain whose husbands or wives have gone into European jurisdiction. That is an element of the European debate with which many hon. Members are not familiar, but it is one of the many ramifications which face us. We generally have good relations with Australia and the United States.

Dame Elaine Kellett-Bowman: Are the provisions for paying citizens who have gone to France as good as our provisions for French citizens? Is there reciprocity of treatment in this matter?

Mr. Patten: I must not get dragged too far down that route; I was referring to international relations in an aside. Reciprocal arrangements do not work well with France and one or two other western European countries and do not benefit people living in this country. However, I think that there has been no criticism of the way in which the British have looked after the interests of French citizens who have applied for orders here. We need to pursue that matter further within our bilateral treaty arrangements.

Many maintenance orders come into magistrates courts for the purposes of reciprocal enforcement, either from other parts of the United Kingdom or from other countries. Therefore, clause 9, which gives effect to schedule 1, provides for magistrates courts to have similar powers in respect of those orders.

The Bill is small, but it seeks to make sensible changes. I hope that they will be uncontroversial changes to the existing maintenance system and that they will improve the effectiveness of the courts in preventing maintenance default and, should default occur, to assist them to take enforcement action.

I hope that hon. Members will recognise the benefits of the Bill for women and for men who are dependent on maintenance payments and, most of all, the benefits which will undoubtedly flow to children in this country and elsewhere. I commend the Bill to the House.

5.9 pm

Mr. Stuart Randall (Kingston upon Hull, West): The Bill aims to improve the procedures for the payment and enforcement of maintenance orders. The major change that I perceive to meet the aims is to allow the courts, when a maintenance order is made, to specify the method of payment. Accordingly, as the Minister of State pointed out, the Bill is narrow.

In the 1980s, considerable debate took place on the whole question of family maintenance and, in particular, on whether spouses should continue to be entitled to the so-called meal ticket for life. The outcome was legislation which compelled the courts, after a divorce had taken place, to consider whether the spouse concerned should receive maintenance for a limited term to help her to adjust to the end of her financial dependence on her former husband. That was referred to as the clean break.

This decade has started with a change in the debate, towards the children and the family and the notion that parents will indefinitely have an obligation to support their children, irrespective of the state of the relationship between the parents. Although there must be an obligation to children, some fathers remarry and have children in the second marriage. Often those fathers are under terrific pressure, to which I referred in my intervention, from the second wife who perhaps resents having to bring up children almost in poverty because of a maintenance order from her husband's previous marriage.

Notwithstanding the practical issue, it is important to note—the Minister touched on this—that after family break-up the majority of men continue to support their children and their former wives in a reasonable fashion. However, there must be concern that, according to the Minister's figures, an estimated 80,000 enforcement proceedings are held within the court system. I assume that that is the figure per annum.

Mr. John Patten: Yes.

Mr. Randall: That means that some children are being deprived of the financial security to which they should be fully entitled. It should also be said that many fathers who fail to adhere to maintenance orders put their own

[Mr. Randall]

economic well-being before that of their children. That behaviour is unacceptable. Therefore, I support the idea of improving enforcement to ensure that lone parents and children receive regular incomes.

Another important factor worth mentioning is that a staggering 80 per cent. or so of lone mothers need to claim income support, which means that many children are brought up in households with all the disadvantages of near poverty because their fathers fail to make the necessary provision for them.

The Labour party supports the principle that the court, at the time a maintenance order is made, should be able simultaneously to make an attachment of earnings order so that maintenance costs can be deducted at source from the father's pay packet, with the help of his employer, with the money being passed subsequently to the mother. The main reason for supporting that in principle is that, unlike the existing procedure where action is taken only after default, the default itself can be prevented, which means that children can be protected from much trauma, despair and distress.

While supporting that provision in principle, the Labour party believes that in practical terms the Bill has serious deficiencies which threaten the very children whom we all want to protect. I shall highlight some of the deficiencies later. Perhaps at this stage I should say that some of them could be dealt with by proposals in the Government's White Paper "Children Come First". The Minister referred to the Child Support Bill which will come to the House soon.

The White Paper, which was supposed to form the basis of the Government's review of the family justice system, was announced by the Government at the time the House debated the Children Act 1989. That was some time ago but it was announced in the Queen's Speech that a Bill would be published in this Session of Parliament to legislate on the proposals in the White Paper. I understand that the legislation had its First Reading in another place a couple of days ago. I will say within these four walls, because no one else is listening, that I intended to slag the Minister for not doing anything on the matter, but I note the efficiency of his officials, whom we should not mention, which has ensured the First Reading in another place, and which we all welcome.

Clause 1 of the Bill before us refers to the powers of the High Court and of county courts to issue maintenance orders. It also gives those courts powers to specify the method of payment that may be used by a debtor—usually the husband—to settle maintenance commitments. The key methods of payment may be standing order, to which the right hon. Gentleman referred, direct debit—I cannot remember whether I saw that in the Bill or read about it in a briefing—or attachment of earnings, which means debiting the debtor's wages. The aim of using the powers is to ensure that maintenance is paid regularly. Hopefully the effect would be to reduce stress and worry for the wife and children.

In addition, much court time could be saved by reducing the effort expended, for example, in issuing enforcement summonses, preparing notifications of arrears and arranging hearings. I ask one question: will the Bill in its present form achieve those desirable objectives? The Labour party doubts it. I refer the House to the comments of the Law Society, which also has doubts. I shall paraphrase what the Law Society said in a briefing sent to hon. Members on 18 February. It had some doubt whether the Bill would significantly increase the payment of maintenance, particularly when the fundamental problem was that the payer either could not or would not pay.

Although the county courts will have new powers to force a debtor to set up a bank account, that will not provide a complete solution. A determined debtor could refuse to pay any funds into his bank account, and a bank cannot deal with a standing order if the debtor does not put in any money in the first place. That is a serious flaw: debtors would still be able to evade their responsibilities. Moreover, when a debtor is a proven bad-debt risk, a bank or building society is extremely unlikely to be prepared to open an account for him in any event.

The Bill also has significant implications for civil liberties. I cannot remember the precise word that the Minister used, but he said that there was a need for sanction——

Mr. John Carlisle (Luton, North): May I return to the question of bad debts, and credit rating with building societies and banks? Surely the hon. Gentleman does not suggest that courts should not continue to try to impose maintenance orders. If the courts are put off by bad credit rating, people may be encouraged to achieve such status, perhaps maliciously, knowing full well that they can then avoid liability for maintenance payments.

Mr. Randall: The Opposition entirely support the principle of enforcing maintenance orders. I merely suggest that the proposal with which the Minister dealt at such length could be made to fail to work. If someone definitely does not want to pay, although he can be compelled to open a bank account, he need only fail to put funds into it. As the bank cannot then proceed with the transaction, the system is bound to fail.

Mr. Burns: Could not the courts deal with a systematic defaulter by adopting another means of obtaining the money—for instance, attachment of earnings, withdrawal of social security payments or seizure of goods? Surely the courts must judge for themselves what is the best system to impose on each individual to ensure that mothers receive the funds that the courts have specified.

Mr. Randall: The hon. Gentleman is right. Various mechanisms can be invoked: the Minister listed four. I merely suggest that someone who is intent on not making standing order payments will be able to get away with it. The hon. Member for Chelmsford (Mr. Burns) looks rather bemused, but surely the position is clear: the debtor goes to court, a maintenance order is made and, at the same time—this is the new element—the method of payment is determined. My point is simply that more court time will be wasted if a debtor is intent on wrecking the system; he may set up a bank account, but he need only fail to invest any money for the whole thing to fall flat. Meanwhile, his family may be forced to rely on income support.

Mr. Burns: I do not want to make heavy weather of this, but I do not think that the position is as gloomy as the hon. Gentleman suggests. Surely, in such circumstances, the courts will change the system under which money can be obtained. The hon. Gentleman says that disruption will

result, but we must bear in mind that great disruption, and grave injustice, exist under the present system. Surely a mother waiting for maintenance payments will be more reassured by the battery of arrangements in the Bill than by the existing system, under which, more often than not, she will end up resorting to income support because of the methods employed by the courts.

Mr. Randall: I believe that the enforcement weapons now available to the courts will result in more families receiving money through maintenance orders. Like the Law Society, however, I am less sanguine about the system than the hon. Gentleman, because it would be so easy to wreck the whole arrangement by withdrawing money from the bank and putting it into, for instance, a building society.

Mr. John Patten: I entirely understand the practical point that the hon. Gentleman is making. I think that my hon. Friend the Member for Chelmsford (Mr. Burns) cited a way of dealing with it, but, if the hon. Gentleman remains unconvinced, has he any practical suggestions to help the Government and those who do not receive their maintenance payments?

Mr. Randall: I could offer some suggestions. The most popular measures for the courts to impose would be attachment of earnings and standing orders—although there are some stopgap measures, which are used only infrequently. Such arrangements would, however, be difficult to impose on, for example, a self-employed person: he will have no money in his bank account to pay a standing order, and attachment of earnings will not work because he will not be on an employer's computerised payroll file. Many small businesses are going into liquidation, but such businesses still employ a large number of people who can slip through the net.

Mr. Stevens: Although those who do not want to pay may still be able to cause trouble, under the present system the adamant—or awkward—can cause not only difficulties for families, but a good deal of delay. The Bill introduces some measures to improve, if not cure, the lot of many families.

Mr. Randall: I accept that the Bill's aim is to deal with such problems expeditiously, and, as I have said, a number of families will probably be better off if the courts are enabled to enforce orders on debtors. At the beginning of his speech the Minister of State referred to 80,000 proceedings. To how many will that number be reduced? I suggest that it will not be reduced to 10, 20 or 30; it may be reduced to 20,000 or 30,000. Even so, that is a very large number. I am not sanguine that these measures will be invincible. I have received advice from varous organisations, in particular the Law Society which is a reputable organisation; its judgment is sound and it knows what is going on. It should, therefore, be recognised that there is doubt about the effectiveness of the proposed measures.

Mr. John Patten: I may be in a position to help the hon. Gentleman. He is concerned about the effect of the Bill if it passes into law. I guess that he wants it to pass into law, as amended in this House and by the other place. No one can say what the outcome will be. However, in 1979 about 7,000 attachment of earnings orders were made. They represented the outcome of 22 per cent. of all enforcement proceedings. In only about 10 per cent. of those did individuals say that they would consent to an attachment of earnings order. Therefore, 90 per cent. did not consent. They will have to do so in future, so that a lot more men, and sometimes women, will have to pay up for their spouses and children—and quite right, too.

Mr. Randall: I welcome those figures. It shows that such measures can work. However, I am not convinced that they will be as effective as both I and, I know, the Minister of State would like them to be. I am dubious, but I am sure that in Committee these drawbacks and concerns will be debated in detail. There will also be the opportunity to table amendments.

There are civil liberties implications. For debating purposes, I intend to put my argument in fairly strong terms. We have a Conservative Government who, it could be argued, are interfering in the personal affairs of private individuals by forcing them, against their will, to open bank accounts and make certain payment transactions in a way that is specified by central Government. The Minister of State will say that we are dealing with defaulters whose actions are detrimental to the well-being of children and wives. I know that the Minister speaks on behalf of the Government, but does he have any personal reservations about the civil liberties implications? This country sometimes goes overboard when it comes to civil liberties, but I feel anxious about the implications here. What are the precedents in British legislation for forcing people to open bank accounts? I am not sure that there are any precedents. I hope that the Minister will deal in specific terms with that question.

The arrangements associated with maintenance orders that are made in the High Court and county courts are made directly between the debtor, the husband, and the creditor, the wife. Therefore it is for the debtor and creditor to note which payments have been made and whether there has been default. If the maintenance order debtor is in default, an attachment of earnings order can also be used to enforce the order. The Minister referred to that point, which was also raised in interventions. Attachment of earnings orders are regarded as the best means of enforcement, though they have limitations. If a defaulter regularly changes his job, it can lead to difficulties in finding out who his new employer is and making all the new arrangements to deduct the cost of maintenance from his wages. An example was given of inability to trace somebody. I am making the same point. There is a cost to employers in making the deductions. I believe that employers are entitled to make a further deduction from the debtor's pay packet, amounting to 50p per transaction.

The Minister referred to the Confederation of British Industry. I have received a parliamentary brief from the CBI. It is very short but useful, and I welcome it. It, too, has reservations about the future cost of making the deductions. On 14 February the CBI said in its brief, entitled "Maintenance Enforcement Through Attachment of Earnings—Second Reading, Parliamentary Brief", that

> "The use of attachment of earnings orders in cases of maintenance enforcement will impose substantial administrative costs (around £10 per deduction) on employers and place an unwelcome strain on industrial relations. The CBI values the undertaking given at the Lords Committee Stage that employers would be consulted on the implementation and administration of the legislation and welcomes the Department of Social Security's initiation since then of this consultation process."

[Mr. Randall]

The Minister referred to the consultation process. The brief continues:

"The CBI looks forward to working with the Department to ensure that administrative procedures are simple, certain and, as far as possible, consistent with those for existing forms of attachment order."

From that it is clear that the CBI thinks that the new administrative procedures for attachment of earnings orders may be much more complex than the existing arrangements, to the extent that the deduction may rise from 50p to £10. I should be grateful if the Minister of State would explain who is to pay for that. I had always thought that the 50p was paid by the person who was making the maintenance payments. May this figure be increased to £10 per deduction? I hope that the Minister will explain whether I am right or wrong. Furthermore, can he enlighten us about the ramifications of the levy charged by employers being increased to that level? Has he discussed it with his Department of Social Security colleagues? It is a serious issue.

Since the number of attachment of earnings orders will probably increase if the Bill becomes an Act, does the Minister of State see any reason for the increase in the levy because of the volume of payments? I should not have thought that it would make too much difference, because payments are made per deduction. I should like to know whether volume has anything to do with it. The House should be aware of the CBI's useful statement on the issue.

The Bill empowers courts to issue an attachment of earnings order at the same time as the maintenance order is made. The existing arrangement does not allow a court to make an attachment of earnings order, if requested by the wife or creditor, until arrears exist. Even then, at least 15 days must pass after the order is made. The Labour party welcomes the change, which will improve considerably the efficiency and effectiveness of the operation of attachment of earnings orders. A major administrative benefit is that courts will no longer need to spend extra time dealing separately with maintenance orders and attachment of earnings orders. More importantly, serving maintenance orders and attachment of earnings orders simultaneously will deal with potential defaults before they occur. The Bill will enhance the position of wives and children and reduce the probability of putting them through the trauma and uncertainty of having no income.

Nevertheless, we must keep matters in perspective. Attachment of earnings orders are not always as effective as they might appear at first glance. Although the attachment of earnings orders arrangements aim to reduce defaults, in Committee we shall have to consider loopholes —for example, moonlighting. A debtor could have two or even three jobs which, together, give him a susbstantial income. In court, he could simply declare the name of one employer. Naturally, he would give the name of the employer from whom he received the smallest income and hide the details of the others. The court would then not order his other employers to make a deduction from his wage packet and the family would lose out. I regret that the Government have made no proposals to combat moonlighting.

In addition to the Bill's civil liberties implications, we must also consider the threat to personal privacy, which was mentioned in earlier interventions. Again, the Government have made no provision to protect people against such abuse. The attachment of earnings order provision means that a debtor's personal details—about marriage, maintenance or other matters—will be seen by certain employees in the company where the debtor works. The Bill does not appear to prevent that personal information from being indiscreetly used by certain company employees. For example, a person's promotion prospects could be impaired by the fact that it will be known throughout the company that that person has a broken marriage. In some jobs that may be important. I hope that, in Committee, the Labour party or the Government will table amendments to the Bill to ensure that the privacy of the individual is protected at all times.

Mr. John Carlisle: Does the hon. Gentleman's anxiety about privacy extend to the right afforded to a mother not to reveal the name of her child's father? In certain cases, the father of the child may not be the marriage partner.

Mr. Randall: I was about to come to that issue, but perhaps we can deal with it now. As politicians, we must deal with such questions and weigh up the arguments between civil liberties and privacy. The private details of a person's lifestyle, such as marriage, should not be carelessly disseminated throughout a company or used in telephone calls or references. I deplore such unnecessary and careless abuse of privacy. However, a woman who has a child and does not want to disclose the name of the father —perhaps she does not know it or has personal reasons for not wishing to disclose it—should not be penalised. For example, the father may be her grandfather, or she may have some other complicated reason for not disclosing the name. I should want to weigh up the arguments carefully before deciding. A court would need to be convinced that a woman had good reasons for not disclosing that information, but the woman should not be denied an income because she is not prepared to disclose it. The hon. Member for Luton, North (Mr. Carlisle) asked a difficult and sensitive question. We have no rigid rules on the issue, but we must be careful and sensitive in dealing with it.

Mrs. Gorman: Like the hon. Gentleman, I have taken much interest in the Bill. I have spoken to many women who are in that position, and they often say that they would rather not pursue the father because they are afraid for their own safety. They want to be independent and to be able to go out to work and earn their own money. They do not want to be caught up in this terrible business, but want their self-respect. Perhaps another Bill could be brought forward to help them.

Mr. Randall: I could not have been more eloquent than the hon. Lady. Her argument is persuasive and shows the complexity and sensitivity of such cases. We should not be too heavy-handed and forceful in those matters; rather, there must be considerable discretion.

Mr. Stevens: I understand the complexity and difficulties that can occur for some women, but it is important that collusion between parents does not disadvantage their children or the state. I accept that the availability of private information on an attachment of earnings order could be embarrassing if it were improperly used, but if people do not want to get into that position they can pay the maintenance by other means that are completely private to them and the court.

Mr. Randall: The hon. Gentleman makes a reasonable point, as he usually does. The Minister referred to the four mechanisms for making payment that are available to the court, and I am considering them individually. One of the problems with attachment of earnings orders is privacy. I accept what the hon. Gentleman said about collusion but, as I said to the hon. Member for Billericay (Mrs. Gorman), any mechanism must offer discretion and flexibility. People who need their case considered sensitively and carefully could suffer under a rigid set of rules.

The attachment of earnings order will be used extensively by county courts because they will be able to decide the payment mechanism when they make a maintenance order. However, the threat of potential abuses of privacy will grow. Labour Members believe that the Government have a clear duty to provide the appropriate mechanism to protect the privacy of people, whether or not they are failing in their duties properly to look after their children. The fact that they are debtors does not mean that we can discard the principle of ensuring people's privacy.

Clauses 2 to 7 deal with the new arrangements to be applied in the magistrates court. Clause 2 provides that a magistrates court must specify the method of payment at the same time as the maintenance order is made. The Minister referred to the four methods of payment that the court can use—direct payment between the debtor and the creditor, via the court, by standing order and by an attachment of earnings order, via the employer.

Magistrates courts have no discretion in adopting one of those methods of payment, but the High Court and the county court have the discretion to decide whether to specify a method of payment when serving a maintenance order. If the reforms in the Bill aimed at preventing arrears are so laudable—the Minister of State has praised them—why have not the Government imposed the same compulsion on the High Court and county courts as they have on magistrates courts? Is there a major principle at stake, or are there merely technical reasons for the difference between magistrates courts and the High Court and county court? If the difference is made for technical reasons, why have not the Government allowed magistrates courts that discretion?

The consequences of that are serious. Families will be more likely to go through the stress and trauma that I referred to purely because technical difficulties exist in preparing appropriate legislation. I shall not speculate on that, but I should like the Minister to give the House a full explanation of that apparent omission from the Bill.

Clause 3 amends the Magistrates' Courts Act 1980 and, in cases where maintenance payments are made via the court, enables the creditor—the woman—to give the justices' clerk a standing authority to initiate enforcement proceedings once the debtor goes into arrears on his payments. On the face of it, that approach would have considerable benefits for the wife compared with the existing arrangements, which prevent the justices' clerk from taking any action until the wife or creditor has requested him to do so.

A major benefit of that reform is that valuable court time could be saved, thereby speeding up the processes of safeguarding the family's income. In addition, the debtor would be encouraged to keep up his regular payments because he would know that the justices' clerk will be monitoring his payments and will quickly take enforcement action if he falls behind.

In its brief on the Bill, the Law Society supports giving justices' clerks that standing authority. It says:

> "It will now be possible for a creditor to give a standing authority at any time, for the Clerk to take action, which will mean, that the Clerk will not need to receive repeated authorisations from the creditor in the future . . . The Law Society supports the provisions, relating to the introduction of standing authorities to the court clerk, to take enforcement action—this will simplify procedure and ease the burden from lone parents of taking action."

However, it has doubts about the method of payment orders.

The National Council for One Parent Families has expressed two concerns about the Bill. The first is that many lone parents are adversely affected by delays in courts' serving procedures, which is caused by a lack of resources. What steps will the Minister take to provide those vital resources to improve serving procedures? It must be a matter of concern that the Bill states that there are no resource implications arising from this legislation. If the Government are genuinely concerned about children and lone parents, should not they take immediate action to speed up court procedures by ensuring that the necessary resources are available? I should be grateful if the Minister would respond to that because the sheer sluggishness of court procedures seems to be causing many problems.

The second concern expressed by the National Council for One Parent Families is that the Bill seems to contain no provisions to deal with the delay in court procedures where a debtor deliberately fails to attend the court hearing in order to avoid making maintenance payments to his family. It believes that if a debtor and his solicitor intentionally fail to attend a court hearing dealing with arrears in maintenance payments, the magistrate should make an order in their absence unless he is satisfied that it is undesirable to do so. Clearly, such behaviour by the debtor is grossly unacceptable and quite irresponsible. I should like to hear the Minister's view. What new provisions do the Government intend to introduce to protect families from such behaviour?

The long title makes the Bill rather narrow. Although some of the provisions seem supportable, we have considerable reservations about what they would mean in practice. Informed opinion outside the House has expressed serious reservations about the Bill's effectiveness. I regret the Government's choice of a long title for the Bill because it is bound to restrict the ability of the House even to propose amendments to alleviate some of the problems encountered by families when fathers fail to face up to their responsibilities.

The Bill is a wasted opportunity. We support some of its provisions but its scope is too narrow. It is defective in practical terms and will have limited benefits.

6 pm

Mr. Simon Burns (Chelmsford): I hope that the hon. Member for Kingston upon Hull, West (Mr. Randall) will forgive me if I do not take up all the points that he has made. Let me say—in the nicest possible way—that I felt that his concluding remarks were a little unjust and unduly gloomy about the Bill's prospects of success.

I regard the Bill as the hors d'oeuvre before a good lunch—the good lunch being the Child Support Bill, introduced last week in another place, which will no doubt wend its way to this House. The two Bills interact and should not necessarily be seen as totally separate. They are joint Bills and one helps the other.

[Mr. Simon Burns]

I welcome the Bill, however narrow it may be, because it is a step in the right direction. It deals with the mechanics of collecting child maintenance. It is worth looking beyond the Bill to ensure that the Child Support Bill will tighten up the whole maintenance system. That is beyond the scope of this Bill, but it is important for it to be on the statute book as quickly as possible to bring help and to increase the number of weapons available to the courts to overcome the serious problem of maintenance support.

One must consider the context in order to appreciate the extent of the problem. There are currently more than 1 million lone parents; 41 per cent. are divorced mothers and 23 per cent. are unmarried mothers. Each year, 41,000 new child maintenance orders, 34,000 lump sum orders and 50,000 consent orders are made and magistrates deal with 28,000 applications for award and variation of maintenance each year. Some 500,000 maintenance accounts and 85,000 enforcement proceedings are dealt with each year.

Problems often arise not with those families in respect of which the courts are able to intervene and have some effect, but with the majority of lone parents who are not getting the financial maintenance that they should or could expect. Hundreds of millions of pounds-worth of taxpayers' money is being used, through the income support system, to support one-parent families when absent parents—they are usually fathers, but I believe that 3 per cent. are mothers—evade their social responsibilities. That is unfair to the taxpayer, but, clearly, no one wants to consider the issue solely from the taxpayers' perspective. It is also grossly unfair to the lone parents because, more often than not, the money that they receive from the state is less than the maintenance that would probably have been—or has been—awarded by the courts.

Once an order has been made, there is the serious problem of enforcing it. That is why the Bill is so important. The hon. Member for Kingston upon Hull, West mentioned the case of a father who gets divorced or splits from his family and children and then forms another family relationship, either inside or outside marriage. The hon. Gentleman alluded to the stress and problems placed upon the second family because of the father's financial responsibility for his first family through court maintenance orders. I appreciate what the hon. Gentleman said, but, with all due respect, he was somewhat cavalier in glossing over the feelings and problems of the first family which has been left by a father who sets up a second home.

Mr. Randall: I thought that I had made it clear on two occasions that I support the principle that parents are responsible for their children, irrespective of what happens to their relationship—whether they remain single or remarry. I accept that principle, but I was tempering the statement by mentioning some of the practical considerations. Many people are on low incomes and second wives may become bolshie and make life difficult. They may think, "Why should I bring my children up in near-poverty?" That is a dilemma for parents and it is a practical consideration which must be taken into account.

Mr. Burns: I appreciate that point. I do not want to sound hard or uncaring—I do not believe that I am—but I think that a father who leaves one family, forms another liaison, either inside or outside marriage, and has more children must bear in mind his responsibility and the implications of his action.

Mr. John Patten: Does my hon. Friend recognise that that is exactly what the Government are trying to do with their twin-track approach in this Bill and the Child Support Bill? We seek to make those who have left one household and some children think twice, or perhaps three or four times, before having more children. Parenthood is for life and it is their duty to maintain the children that they have had and those that they may have. The two Bills together will force them to do that.

Mr. Burns: I am grateful to my right hon. Friend. In his characteristically clear way, he has hit the nail on the head and come to the heart of the problem.

We have discussed the second family and the father who wants to meet his financial responsibilities, although it may be financially difficult for him to do so. The other problem which, sadly, occurs all to often is that of the father who, when establishing a second family, wants to wash his hands completely of the first family and does not want to meet any of his financial responsibilities, whether he can or cannot do so. That is a tragedy as well.

As my right hon. Friend the Minister said, we must always bear in mind the two basic principles of the Bill. The first is that family responsibility should be actively encouraged. I believe that it is still too easy for an individual to walk out of family life. I know that many people give serious consideration to the marital problems, and if a marriage has broken down irretrievably, it is probably in the children's interests for it to be ended, but under the law as it stands, it is far too easy for those who are not prepared to give their marriage a second chance —or to accept counselling that might help save that marriage—to abandon their responsibilities, including their financial responsibilities. That brings us back once again to the need for the Bill.

I am sure that the constituents of many right hon. and hon. Members come to our surgeries with problems emanating from the fact that they are not receiving the maintenance that they should. It is upsetting to listen to the tales of genuine hardship told by mothers who are not only struggling after the traumatic break-up of their marriage—traumatic not just for them but for their children—but having to cope with financial worries because their only source of income is the state. They are then caught in the poverty trap of state benefits from which it is so difficult to break free. More often than not, the reason for that is the attitude and behaviour of the father.

I welcome the fact that the courts are to have increased powers to tighten up on enforcement. I hope that my right hon. Friend the Minister will assure us—perhaps we shall have to wait for the Child Support Bill for assurance to be given—that more will be done to give courts powers to track down absent fathers. Not only should more power be given through the tax system to track down absent fathers in this country, but, as I said in an intervention, more power should be available to track down those who may be the subject of British court orders but who have gone overseas. That is crucial.

The second principle that we must not forget is that it is much better to avoid default than to try to rectify the problem once it has occurred. Despite the misgivings of the

hon. Member for Kingston upon Hull, West, the Bill will go a long way to tighten up that aspect of the law. At present, maintenance is paid either to the court or directly to the recipient, but there are not enough ways of enforcing the provisions in respect of someone who determinedly defaults on payments. That is why the extra powers are so welcome. In future, payments will be made by standing order. I thought that the hon. Member for Kingston upon Hull, West was nitpicking when he took us through the problems of standing orders. I do not think that the standing order provisions will be as difficult to implement as he suggested. Moreover, the standing order option is only one of a number of options that a court can adopt.

Mr. Randall: I do not quite understand what the hon. Gentleman means by "difficult". I said only that the Government's proposed standing order scheme was utterly open to simple abuse.

Mr. Burns: That is true. My point is that if there is likely to be abuse, and if the scheme is therefore unsuitable in a particular case, the courts will not use that procedure. They may go for attachment of earnings or choose some other way of enforcing payment. I do not think that the hon. Gentleman's fears, even on that narrow issue, are as well founded as he implied. Certainly in respect of those who will not deliberately seek to use the standing order procedures to abuse the system, it will be easier to prove non-payment by examining building society accounts and bank statements.

The other important provision is that relating to the attachment of earnings. At present, the courts use that method only when someone has been wilfully neglectful or has deliberately defaulted. The method is used only in extreme cases. By widening the use of that weapon to magistrates courts, we shall go a long way to help to solve the problem.

I have one or two suggestions for the possible improvement or strengthening of the Bill. I listened carefully to the point made by the hon. Member for Kingston upon Hull, West about court time and about those who deliberately do not turn up for hearings, thus immediately placing the burden on the shoulders of the lone mother awaiting a court decision. I agree with him that it would help to alleviate a great deal of hardship if my right hon. Friend the Minister could re-examine the matter to see whether there is any reasonable way in which the provisions could be tightened up. For example, we might allow magistrates courts to make a decision in the person's absence.

If my memory serves me right, the CBI briefing that we all received referred to a possible cost of up to £10 in respect of an attachment of earnings order. It is not necessarily in anyone's best interests for industry and commerce—the employers—to have to pick up the tab. I welcome the promise that the Government made in the other place to look at the matter further. I hope that something can be done to ensure that the burden is placed fairly and squarely in the pocket of the person directly responsible—the father who is meant to be paying the maintenance—and thus to save industry and commerce expense. That would improve the system and benefit everyone—except possibly the father who will then have to pay more.

Will the Government consider the removal of the provision which renders legal aid unavailable in respect of the issue of a county court summons? It is reasonable to ask the Government to look again, even if they eventually find that they cannot meet the request.

Let me take up a point made on Second Reading in the other place. Will the Government consider consulting the Inland Revenue about the adjustment of tax codes for those in default as a means of deducting maintenance? People in all walks of life know how efficient the Revenue is in going after its clients and customers and its money. It is almost like a terrier. If we could involve the powers and enthusiasm of the Revenue, we should go a long way towards helping lone mothers and their children.

The most important principle is to ensure that, in questions of divorce and maintenance, the interests of the child are put first. I would enter the caveat that we must not forget or overlook the interests of the mother who has to bring up her children alone, often in the most difficult circumstances.

I believe that the Bill goes a long way towards helping the child by providing for proper and regular financial payments from the father. It also helps to alleviate the burden, worry and frustration of lone mothers. We look forward to the Child Support Bill, which, together with this Bill, constitutes an optimistic and serious way of tackling the problem.

6.19 pm

Mr. John Carlisle (Luton, North): It is very pleasant to be invited to contribute to this debate on the introduction of a Bill that seems to have virtually all-party support. However, the two Members on the Opposition Front Bench must be feeling extremely lonely because no Opposition Back Benchers have been present during the debate, apart from one or two travellers who obviously came into the Chamber to escape the cold outside.

Mr. John Patten: What about the Liberals?

Mr. Carlisle: There have been no Liberal Members here either. It is disturbing that Opposition Members have not been present to debate this important Bill.

As my hon. Friend the Member for Chelmsford (Mr. Burns) said, the Bill, regrettably, involves considerable sums of taxpayers' money. Opposition Members should have been here in greater numbers, although I pay credit to the hon. Members for Kingston upon Hull, West (Mr. Randall) and for Newcastle-under-Lyme (Mrs. Golding) for being present to represent their cause.

When I first considered the Bill, I wondered whether it was a Bill for lone parents, as it had been paraded or whether it was intended to penalise absent fathers. My constituency experience over the past 12 years makes me believe that perhaps the Bill should penalise absent fathers. I am sure that all right hon. and hon. Members are aware from their constituency experience that the number of absent married or unmarried fathers is increasing, and that fact has been brought to our attention by the lone-parent mothers involved.

In the 12 years that I have represented my constituency the number of absent fathers has increased dramatically. It is high time that the Government introduced such a measure, and we look forward to the Bill's twin—the Child

[Mr. Carlisle]

Support Bill which is in another place—as a means of strengthening the powers of the courts against absent fathers.

Absent fathers are prevalent at the moment and they cost the taxpayer enormous sums of money. They also bring misery upon misery to thousands of women and children. That misery is totally unnecessary and in many cases is callous. I can tell hon. Ladies who are present in the Chamber now that, although in the past perhaps I have not been too friendly to their causes and their gender, in this particular case they have my total sympathy. Absent fathers cause considerable misery.

I share the sentiment expressed by the hon. Member for Kingston upon Hull, West at the conclusion of his speech. I believe that the Bill does not go far enough—although it may be extended in the Child Support Bill. In many cases the fathers are not named and in some cases they are not known. In my constituency, in some cases the father is not known until the child is born and the colour of its skin is revealed. That perhaps gives some hint about the extent of the problem. [HON. MEMBERS: "Oh".] I can understand my colleagues tutting when I say that, but such things happen.

In virtually every case the father gets away with it. He avoids any responsibility to the mother and to the child. He also gets away with any responsibility to the taxpayer because the taxpayer must pick up the tab.

My hon. Friend the Member for Chelmsford took up a point made by the hon. Member for Kingston upon Hull, West about the courts enforcing orders against absent fathers who deliberately make themselves unemployed at certain times of the year when child maintenance orders are being made against them or are being upgraded in financial terms. I know of a sad case within my family where the absent father is a deep sea diver. He deliberately arranges for the court hearing to be heard when he knows that he will be unemployed because his work is seasonal. When the day is named for the case, he absents himself and the case is adjourned. In many cases adjournments are sought by absent or negligent fathers—call them what one will—on the basis that they know that the courts will not hear the case and it will be delayed. In every case the lone mother or the children involved suffer as a consequence.

Mr. John Patten: My hon. Friend has raised an exceptionally important point which we will have to consider in the twin-track approach encompassing this Bill and the Child Support Bill, which is in another place. However, the Courts and Legal Services Act 1990 gives a new power to the court to levy costs against solicitors who put in for unnecessary adjournments that lead to the problems which my hon. Friend has accurately described. It would be a very good thing, too, if the lawyers had to pay occasionally.

Mr. Carlisle: Knowing the sympathy that my right hon. Friend the Minister has on occasion to show to the legal profession as a result of his duties, I can see how that remark matters to him. However, he is absolutely right. Such a remedy exists, but I should remind him that in several cases, even with the powers under the existing system, let alone those proposed in this Bill, magistrates do not use their powers to the full. On many occasions the magistrates' sympathy seems to be with the absent father or they are swayed by the legal arguments made by the solicitors representing them. As a result that brings more misery to the lone mothers and their children.

Part of the Bill's aegis is that it will give some incentive to negligent fathers to go out to work harder to ensure that maintenance is paid. That is a somewhat pious hope. Sometimes absent fathers get themselves into financial trouble because of the so-called responsibilities that they take on in second or third marriages or in other relationships. They get themselves into virtually impossible positions and usually the taxpayer has to fund that irresponsibility.

I am sure that right hon. and hon. Members will agree that many lone mothers are dependent on income support and on some form of social benefit simply because the absent fathers are not paying their way. The problem is experienced not just by the wronged married woman; it is experienced also by the second, third or other woman who, perhaps unknowingly, has the children of the recalcitrant gentlemen known in my constituency as tower block stags who tend to jump from one flat to another, with no responsibility for the children they father.

Mr. John Patten: There is either something wrong with the amplification system or with my hearing. None of us on the Government Front Bench could hear the last word in my hon. Friend's phrase.

Mr. Carlisle: I was referring to tower block stags, who leap from one bed to another within my constituency. I suppose that that is humorous in a way, but it is also tragic for those who, for whatever reason, are caught.

In all sincerity, I can tell the House that the saddest cases that come to me—and I am sure to other right hon. and hon. Members—involve young girls who have been conned into producing children which they do not want. They must then take full responsibility for them and then go on their knees to their Member of Parliament and also plead with the social security to assist them. Many of them are ashamed of what has happened and are not willing to name the father who, of course, gets away with it. As my hon. Friend the Member for Billericay (Mrs. Gorman) has said, many women are afraid to name the father because of the possible consequences.

The Bill will provide some assistance but only a small amount. As my right hon. Friend the Minister said, it is a Bill of responsibility. That is what the House and our constituents should be concerned with. Sadly, in the last decade or two, responsibility and discipline within the family have slipped, and are slipping further despite gallant attempts by various Governments to reverse the trend. Regrettably, the Bill will affect many people, perhaps far more than we who frame it and hope to pass it would ever envisage. The situation worsens day by day.

We and, I hope, the Opposition welcome the Bill. We welcome the spirit with which it has been presented and the spirit in which it has been received. If it brings some comfort to those lone mothers and children who suffer under the present system, it will be of some benefit. I hope that it will bring some relief to taxpayers who have picked up enormous bills for the negligence and indiscipline of many absent fathers. I fear that it may not go far enough, but, together with the Child Support Bill, it may at last reverse the terrible tide.

6.32 pm

Mrs. Teresa Gorman (Billericay): I congratulate the Government on this timely measure which will bear down on those irresponsible fathers who refuse to pay the maintenance ordered by the court. Power for the courts to attach a father's salary and make sure that the wife or partner receives money is long overdue.

I do not like the term "lone parent" because there are always two parents. There is no such thing as a one-parent family, a term that we seem to have dropped. We are talking about families which are invariably fatherless, but as that could mean widows, it is more correct to say that we are dealing with fathers who have scarpered from their families. The mere fact that a father has cleared off and has left his wife to go to such lengths to get maintenance tells us something about him. It is necessary for the courts to be given extra powers to ensure that such fathers meet their obligations.

The statistics on fatherless families show that about 41 per cent. of the women are divorced and that 23 per cent. are unmarried. What about the other 36 per cent.? Are they widowed mothers? Perhaps the Minister can supply that information when he replies.

As hon. Members have said, we are dealing with a difficult area of human relationships. There is often great bitterness between the parties, and sometimes the mother is unwilling to prosecute for maintenance because she fears for her existence. Many marriages break up because of fear. Incompatibility has meant that the marriage has foundered, and we are left to do something about the resulting untidiness. In debating such matters we usually deplore the divorce rate, but sometimes divorce is the most humane and sensible course. Divorce is not always bad. In the old days women were often trapped in unhappy and brutal marriages, perhaps for all of their lives, because they could not afford to separate, establish themselves and support their children.

Time and again I have made the important point that we who pontificate on these matters take a technical viewpoint to see how we can tidy the loose ends or block loopholes. I know some women who are bringing up children on their own. They meet for moral support and self-help so that one can look after the children while others go shopping. The Children Act 1989 is in danger of making that illegal because it requires people who look after children to be licensed.

When I talk to the women in such groups, I always ask what they want me or the Government to do to help them. I am concerned not about what my colleagues think is right, but about what such women want. They never ask me for increased child benefit. Some of them say that they want the husband to pay for the children, but more often than not they say, "I do not want to pursue him in the courts because I am afraid of the consequences. I want to be able to go out and earn a bit of money so that I can support the children." They feel that it is more dignified to do that. Although the Bill will place much greater constraint on the father, I hope that when we consider the matter in another Bill we will take note of the feelings of women.

Mr. John Carlisle: Does my hon. Friend agree that, despite the women's obvious sense of pride in wanting to stand on their own feet, the father has a responsibility to make some provision? The hon. Member for Kingston upon Hull, West (Mr. Randall) spoke about limiting privacy. I hope that my hon. Friend will encourage such women to ensure that the absent father pays his dues, if only for the sake of the children. They would then enjoy a better standard of living.

Mrs. Gorman: I agree with my hon. Friend. Fatherhood and motherhood are for life, and fathers also have a responsibility. However, some women would not thank us for pursuing the husband or father through the courts in the way that we or the court might think right and proper. That is because of the consequences to the mother. It should be borne in mind that every unhappy marriage breakdown is a tragedy with its own circumstances.

Mr. Randall: The hon. Lady spoke about the aspirations and desires of women to whom she has spoken. She has said that their top priority is to be independent and earn a living. I am a male and not as qualified to speak on the matter as a woman, but in my experience many women with babies and children want to be able to stay at home. Although the decision must rest with the woman, it is obvious that she cannot stay at home with the children if she has a job. The hon. Lady does not seem to support the notion that some women might like to have that option and that their top priority might be some sort of guaranteed regular income, perhaps from the father.

Mrs. Gorman: The hon. Gentleman reinforces my argument that almost every case is different and that women have different views on the issue. I remind him that throughout history women with young children have worked. In Victorian times some mothers with 10 children went out to engage in cleaning or laundering or some other work.

Often an idealised view is taken of women staying at home and raising their children. That is the ideal, but the reality of most women's lives is not like that. Women often need to earn extra money. Of course, choice is what matters, but the fact is that 80 per cent. of mothers with young children stay at home with them whereas most mothers with school-age children—almost 70 per cent.—go out to work. It is not uncommon for women with children—of any age—to find that they need to work.

In the past, a woman who was widowed in a war would have raised her children without any help from the state. She would go out to work and do a fine job. Because women are multi-competent and extremely able, they can make their own way in life when they are left in the lurch by their husband. Indeed, many would rather do that than risk the punishment that might be meted out to them by the children's father if he is a violent man, and unfortunately in this world there are many men who mete out violence to women, mainly because women are not taught how to defend themselves—but that is another story.

I come to the role of the employer, which has already been mentioned, and to the question whether those concerned—either the woman receiving the payment or the man who is making the payment through a court order or by having the maintenance deducted from his salary—will want their employer to know that they are involved in such circumstances. It is impossible to prevent such circumstances from influencing the attitude of an employer. It is no good saying that that is private information because it will inevitably have an effect on the employer. I feel strongly that in deciding on this

[Mrs. Gorman]

legislation, if fathers are prepared to make a private arrangement, we must do all that we can to ensure that we do not lose that good will. Even if that involves only a mere 7,000 of the 82,000 cases that we are talking about, those 7,000 cases are still important and valuable. We must preserve the privacy of the man if he is prepared to do the right and decent thing and to reach a suitable arrangement with his wife.

After a woman has gone through all the court proceedings to get maintenance from her husband's wages deducted at source, she may be awarded just 1p per week maintenance in arrears. That sometimes happens even today because the magistrates think that they are taking account of the real circumstances in that case. If a woman goes through the process and is awarded only a derisory maintenance payment, she feels insulted. The Bill does not cover the amount of money that a magistrate may award, but I believe that the courts should be discouraged from making such decisions. A woman may have gone through many unhappy emotional experiences to get that far, and it is insulting for her to be treated in that way.

Sadly, the Bill is necessary in today's society because people's sense of responsibility has been undermined. That has increased under the welfare state, which has adopted the attitude that if an individual will not accept his or her responsibility, the state will do it. We will not cure the problem until we reverse the attitude that the state must be the last resort. As my hon. Friend the Member for Luton, North (Mr. Carlisle) said, we must stop ourselves always rushing in with the public purse, because that is what lies at the root of this problem of irresponsibility. If we do not expect people to be responsible, in many cases they will be irresponsible. That is a sad fact of human life.

Although I wholeheartedly welcome the Bill, we have yet to debate many other aspects of this subject.

6.44 pm

Mr. Randall: With the leave of the House, Madam Deputy Speaker, I should like to reply briefly to some of the comments that have been made in this interesting debate, which has been wide ranging although the Bill itself is narrow, dealing only with maintenance enforcement.

The Minister referred to the CBI levy and to the consultations that are taking place on that. I cannot remember whether I asked him to give us more detail about that, because it could have a crucial impact on debtors. I should also like to know more about the reciprocal arrangements with the EEC. As a result of 1992 and all that, the problems of maintenance enforcement could be seriously exacerbated as people move around the various member states of the Community more and more. Therefore, I was concerned when I heard that the reciprocal arrangements with the EEC are not working very well.

I am sorry that the hon. Member for Chelmsford (Mr. Burns) is not in his place. He talked about family life and said that it was of paramount importance. Although we would all agree with that, I submit that the Government's taxation policy is also a major factor causing the break-up of marriages and of family life—*[Interruption.]* I am sorry, I see that the hon. Gentleman is here, albeit in a different seat. The gap between the better-off and the less well-off is unquestionably growing in this country. Such pressures can cause the break-up of marriages—*[Interruption.]* That is a well-known fact, but other social pressures can also have an effect.

Mr. John Carlisle *rose*——

Mr. Randall: I shall give way to the hon. Gentleman, although I had wanted to be brief because I made a long speech earlier.

Mr. Carlisle: I was sorry to have to ask the hon. Gentleman to give way, but he must give the House the evidence about the startling fact that he has just announced. He has said that the difference between the so-called "poor" on the one side and the so-called "rich" on the other has contributed towards the break-down of marriages. Where exactly is the evidence for that? If the hon. Gentleman does not have it, perhaps he could inform the House of it at a later date.

Mr. Randall: I am surprised that the hon. Gentleman is not aware, because so much has been published about it, that, under this Government, there is a growing gap—I chose my words carefully—between the better-off and the less well-off in this country.

Mr. Carlisle: Possibly.

Mr. Randall: I am pleased that the hon. Gentleman agrees with that.

Mr. Carlisle: I said, "Possibly".

Mr. Randall: Well, the hon. Gentleman does not know, but Opposition Members do know and it is a matter of concern to us. It is one reason why the Labour party has been amending its taxation proposals. We want to compensate for that sort of thing and, in our taxation policy, to do the things that would be good for families. The Government's taxation policies run contrary to the well-being of family life. Many of the troubles we have been discussing today emanate largely from that.

The hon. Member for Chelmsford made a good point about defaulting. He is absolutely right that we should take steps to prevent defaulting and thus to reduce the workload of the courts. There is no doubt that a lot of the time that is currently taken by the courts in dealing with maintenance orders and ensuring that payments are made could now be avoided.

The hon. Gentleman also referred to standing orders and payments. I do not want to go over the argument yet again, but I feel that the hon. Member for Chelmsford does not understand the people with whom we are dealing. Some of them—not all—are out to bust the system and once one recognises that, one realises that the system of payment to a wife must be strong enough and resilient enough not to be abused in this way. The hon. Gentleman made a good point in his question to the Minister about something on which I had touched—debtors who do not bother to turn up at court. The hon. Members for Billericay (Mrs. Gorman) and for Luton, North (Mr. Carlisle) also mentioned that point. We shall be interested to hear what the Minister has to say on that.

The hon. Member for Luton, North referred to the effect that absent fathers have on the taxpayer. He spoke about the tower block stags in his constituency. I was pleasantly surprised by his description of the young lady who came to visit him in his constituency surgery. He

obviously has a soft spot for people, although that is not apparent from his political image. He reacted in an emotional rather than an objective way to her and I would have expected the latter.

The hon. Member for Billericay put great emphasis on irresponsible fathers and I intervened on that point. She also spoke about the desire of women not to receive an income from benefit but to be free to go out and earn. However, lone parents—I know that she does not like that term, but she knows what I mean—are in a difficult position because they cannot share the burdens of parenthood. Those with young children, especially if they have no support from their own parents, encounter great problems. If we are to provide choice for women in that position, and allow them to live comfortably, the top priority is to give them a guaranteed income. The hon. Lady speaks authoritatively on this and has given the House the benefit of her experience.

I look forward to the Committee stage. I hope that the amendments that will be tabled will encourage proper debate on the Bill, and, if agreed to, make it more effective. I have been encouraged by the way that hon. Members on both sides of the House have shared a belief in the basic principle underpinning the Bill, which is that those who have maintenance orders served against them should act responsibly and fulfil the terms of those orders. Where that does not happen, we need a mechanism to ensure that they are fulfilled. If the Committee can make that mechanism work as effectively as possible, we shall have given credit to the House of Commons. More importantly, we shall have helped people who desperately need an improvement in the system. The failure in the existing system has meant that children and families are enduring the distress and trauma to which we have all drawn attention. The Bill will help to alleviate those problems.

6.53 pm

Mr. John Patten: With the leave of the House, I shall reply. This has been an interesting if short debate, founded on considerable agreement between the two parties represented in the Chamber—there has been no representative of the Liberal Democrats. We believe that something needs to be done and we have agreed that a useful Bill will be brought to fruition by the Committee.

We have heard some remarkable speeches. My hon. Friend the Member for Chelmsford (Mr. Burns) gave us some important statistics and put his finger on a number of significant policy points. He also provided the House with a good keynote phrase for the Bill when he said something along the lines of, "It is better to prevent default than to have to enforce the measures after default." That underpins what the Bill is about and shows why it deserves an unopposed Second Reading.

My hon. Friend the Member for Luton, North (Mr. Carlisle) demonstrated that authority and robustness, mixed with compassion, for which he is well known. He drew attention to the link between this Bill and its big brother or sister, the Child Support Bill, which is going through another place. He treated the House to what was, for my money, all too short a passage on responsibility and the rebirth of it in the 1990s. He reflected on the adverse changes that have followed a diminution of family responsibility in the previous two decades. That passage will bear rereading.

My hon. Friend the Member for Billericay (Mrs. Gorman) also spoke about responsibility and I agree with everything that she said on the issue. She spoke about divorce and the effects of that on society, about the equally important issue of working women and about how these provisions can help them. I suspect that the issues that interest her, as they interest me, will be debated when the Child Support Bill reaches this Chamber under the aegis of my right hon. Friend the Secretary of State for Social Security.

I applaud what my hon. Friend the Member for Billericay does to try to help women in a number of groups. Although they may not want to go to court to get the maintenance paid to them, perhaps because they fear physical violence—the police are doing more about domestic violence in this decade than they did in the previous decade—I ask her to urge them to think again about ensuring that those payments come. After all, it is the children of the marriage who will suffer. I hope that the quick and clean mechanism that the Bill will set in place will encourage women who face those problems to do something to ensure that the absent father, or the absent mother in about 3 per cent. of the cases, faces up to his or her responsibility. That motif of responsibility has run through each of the speeches made by my hon. Friends.

I hope that the hon. Member for Kingston upon Hull, West (Mr. Randall) will forgive me if I do not have a great deal of time to refer to all the points that he raised. However, I have time for a couple of important ones. He asked about what would happen if people refused to pay standing orders. As my hon. Friend the Member for Chelmsford said, the courts have many ways to get money from the absent spouse if he will not pay by standing order. Furthermore, he can be fined up to £1,000. If he will not pay that fine on top of not paying the maintenance—most maintenance payments are in arrears of 15 weeks—there is always prison to encourage him to pay up. We do not want to send people to prison, but we must have that for a last resort.

Direct debits are not provided for because the court could not adequately exercise supervision over variations in direct debits. Under direct debit mandates, the person who gives the authority can vary the order, but the courts should have that power. The courts will have an important role and I believe that, after an initial surge of business, their business will diminish greatly, just as the amount of money flowing to spouses and children will increase greatly as a result of the provisions of this welcome Bill. I commend it to the House.

Question put and agreed to.

Bill read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

Cardiff Bay Barrage Bill *[Lords]*

Order for consideration, as amended, read.

7 pm

Mr. Rhodri Morgan (Cardiff, West): On a point of order, Madam Deputy Speaker. I seek your guidance or ruling on the way in which we shall conduct our proceedings this evening. One of the difficulties lies with the decision whether the Bill should return to the House for further consideration in the light of the impending ruling by the European Court of Justice in the Leybucht bay case, which is recognised by the Government to be a similar matter. It is recognised also that that case is relevant because the promoters have sent a lawyer, as have the two Departments concerned, the Department of the Environment and the Welsh Office, to observe the proceedings of the European Court.

I ask for your ruling, Madam Deputy Speaker, because two material considerations will make this evening's proceedings less comprehensive and less well informed than they should be. First, we do not have an English translation of the proceedings of the European Court. Indeed, we shall not have one for another 10 days. That is what I am told in the letter that I received from the Treasury Solicitor of 11 February, which reads:

"As requested I enclose a copy of the opinion of the Advocate-General in French."

I would not wish to trouble you, Madam Deputy Speaker, or other hon. Members with any quotations in French, which would not technically be in order. The letter continues:

"We are having the opinion translated into English, but the translation will not be available until the end of the month."

It is explained that, unlike the French and German versions, the English translation will not be an authorised version.

As I have said, the promoter and the sponsoring Departments—the Welsh Office and the Department of the Environment—recognise the relevance of the proceedings of the European Court and have sent lawyers, at public expense, to observe them at Luxembourg. The public, including my constituents, have paid for that. The lawyers observed the proceedings on 5 December and heard the Advocate-General's verdict.

When the House receives the Bill back from Committee on 18 February, it does not seem too much to ask that we should ensure that our consideration of it is fully informed. We should adjourn consideration until a proper translation of the proceedings of the European Court is available to us. As the production of the translation will coincide with the day on which the final judgment will be delivered—the Advocate-General's opinion is usually about 90 per cent. of the European Court's final opinion—an adjournment would enable us to take into account the verdict in our consideration of the Bill. It is thought that the verdict will be highly favourable to the objectors' case, and it should have a bearing on our consideration of the Bill.

Madam Deputy Speaker (Miss Betty Boothroyd): The hon. Member for Cardiff, West (Mr. Morgan) has referred to an opinion of the Advocate-General, which was prepared for the European Court of Justice in Luxembourg in the course of a case which the hon. Gentleman rightly said related to the proposed development of the Leybucht bay in Germany. The document in itself does not have a direct bearing on the consideration stage of the Bill that we are discussing this evening. If the hon. Gentleman wishes to deploy the opinion in arguing that we should not proceed with consideration of the Bill, I shall be able to hear him. But I must tell him that all the documents that are directly relevant to our consideration of the Bill are available.

Mr. Morgan: Further to my point of order, Madam Deputy Speaker. I tabled a question last week because I was promised the document in question on 12 November by the Secretary of State for Wales. As nothing happened in the intervening three months, I tabled another question, which was answered on Thursday of last week. I asked the Secretary of State for Wales,

"pursuant to his reply of 12 November 1990"—

he has promised that an English language translation of the Advocate-General's opinion would be placed in the Library shortly or as soon as possible after it was available. My question continued:

"*Official Report*, column 49, when he will place in the Library an authorised English language version of the Advocate-General's opinion on the Leybucht bay case heard at Luxembourg before the European Court of Justice."

This is material, Madam Deputy Speaker. If it were not, I would not detain the House. The Secretary of State replied:

"An English language version of the Advocate-General's opinion prepared by the court is unlikely to be available for some time. However, I understand that an English language translation prepared by the Foreign and Commonwealth Office will be available very shortly. I shall be placing a copy of this in the Library of the House."—[*Official Report*, 14 February 1991; Vol. 185, c. 589.]

What does the Welsh Office have to hide? Why has it not placed the translation in the Library so that we can read it? Why will it not do so until after the House has had a three-hour debate, during which we might be relying on our own attempts to translate the French, German or Dutch in which the opinion was originally written?

Mr. Paul Flynn (Newport, West): Further to that point of order, Madam Deputy Speaker. Is my hon. Friend aware that the judgment concerns special protection areas under the EEC's bird directive, and that neither Cardiff bay nor——

Madam Deputy Speaker: Order. We are now entering into debate, and that turns on my response to the original point of order. Hon. Members are raising debating matters. The opinion to which the hon. Member for Cardiff, West (Mr. Morgan) has referred is not material to our consideration this evening.

7.5 pm

Mr. Alun Michael (Cardiff, South and Penarth): I beg to move, That the Bill, as amended, be now considered.

I am pleased to ask the House to give consideration to the Bill, which I hope will speedily complete its remaining stages through the House. It may be useful if I mention the Leybucht bay case, which was mentioned by my hon. Friend the Member for Cardiff, West (Mr. Morgan) on a point of order. I appreciate, Madam Deputy Speaker, as you have said, that the opinion is not a document that is necessary for our debate this evening. It is important, however, for the House not to be misled. I am rather surprised that my hon. Friend referred to it. It appears that he has followed these matters with care and has read the

Advocate-General's legal opinion. He must now be aware that the Leybucht case is completely irrelevant to the Bill and does not help his argument.

I am surprised also that my hon. Friend the Member for Cardiff, West raised the language or languages in which the translation of the opinion is available. I am sure that he read the *South Wales Echo* on Saturday, and especially the article which set out liberal quotations from the opinion by opponents of the Bill. The opinion of the Advocate-General is that the Commission's complaints should be rejected. That is what he recommends on his interpretation of the facts of the case. He takes the view that the Federal Republic of Germany did not contravene the directive. He further suggests or recommends that the Commission should bear the costs of the disputing parties.

As my hon. Friend the Member for Newport, West (Mr. Flynn) has said, the Commission's interpretation of the directive is relevant as it applies to a special protection area, which Leybucht bay is but which Cardiff bay and the Severn estuary are not. He does not dissent from the view that the directive at article 2 is a balancing exercise, weighing up, on the one hand, the protection of birds and, on the other, public health and safety, economy, ecology, science, culture and recreation. I argue that in all the documents that are relevant to this evening's debate it can be demonstrated that matters of public health and safety, economy, ecology, science, culture and recreation demand the speediest possible passage of the Bill through the House.

I wish to repeat a simple plea. I ask that the House does not dash the hopes of my constituents for a better future, for a better environment and for better homes and jobs that meet their aspirations. I still retain the hope——

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Deputy Speaker. I do not want to delay my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) for long, but perhaps I should tell him that I was in the Chamber on Thursday when, during business questions, my hon. Friend the Member for Cardiff, West (Mr. Morgan) asked the Leader of the House about the whipping arrangements for a private Bill. Most of us believe that unofficial whipping has been taken place on private Members' Bills for a considerable time. My hon. Friend was able to unearth correspondence from the Government Chief Whip in which he advised Conservative Members to vote in accordance with his instructions this evening on this piece of private Member's legislation. The Leader of the House said that he was not responsible for whipping, and we know that that was a correct statement.

Once a Conservative Chief Whip starts putting in writing instructions to Tory Members to vote in a certain fashion on private Members' Bills, the procedure for such Bills is broken down. Surely this is a matter for you, Madam Deputy Speaker. What steps are to be taken?

Madam Deputy Speaker: As the hon. Gentleman, like all other hon. and right hon. Members, knows, the Chair has a great many responsibilities, but concerning itself with what goes on in the Whips' Office is not one of them. I was in the Government Whips' Office for far too long to want to involve myself in such things now.

Mr. Michael: I am glad to be able to say that it is not a matter for me either. It is a matter for the Government how they vote. However, my hon. Friends and I have sought to persuade others to support our view. I retain the hope that opponents of the Bill will be satisfied now that it has survived an arduous passage thus far. I hope they will be satisfied with the many safeguards that have been built into the measure, and will recognise the need for the major investment that the barrage itself will bring and for the private investment that will be attracted.

Mr. Allan Rogers (Rhondda): Many of us in the Opposition have no objection to investment for the benefit of my hon. Friend's constituents. However, we have a slight difference when it comes to the expenditure of hundreds of millions of pounds by the Government, to what purpose, I am not sure.

Mr. Michael: It is for the Government's representative to defend their decisions on public investment. However, I am rather surprised to hear an argument against public investment which would be of considerable benefit not only to my constituents but to those of my hon. Friend also. I hope that the public benefit argument will persuade my hon. Friend to support me in the Lobby at the end of this debate.

Mr. Rogers: I represent a constituency which, measured by any socio-economic indicator, is one of the poorest in the United Kingdom. That being the case, I certainly do not have any objection to public expenditure. However, I do not want to see public money being poured down the drain—or the barrage, or whatever.

Mr. Michael: I do not want to get involved in a knockabout, but, like my hon. Friend, I represent an area in which there is considerable deprivation. I am sure that he recognises, for instance, the deprivation in places like Newtown—in particular, on the dockside. Having worked with unemployed people in that area, and previously in the Ely area, I am very keen that misery and unemployment such as we saw in the past should not be repeated. It seems to me that this investment is the best means of avoiding that situation.

Cardiff is a great city. It is a string of communities, each with its own character. Indeed, my friend, Councillor Paddy Kitson, who is chairman of the county's economic development committee, likes to refer to the area as a string of pearls and of opportunities. The barrage and the development will reunite Cardiff with its seafront. It will offer a future to communities that in the past have lived in dirt and have known poverty. It will offer a new lease of life to the old communities, and new communities will have a life of their own to complement those.

The barrage will help to protect the city against the threat of flood. Last week the Department of the Environment issued a publication that referred to the need to consider this matter in the context of the future of our coasts. The barrage will provide a positive opportunity in this respect.

One matter on which my hon. Friend the Member for Cardiff, West and I have agreed from the beginning is that the Crown water issue needs to be treated with great seriousness. I am satisfied with the findings that have been made to date. Even Woolworths gave a promise that satisfied the Committee. Subject to public consultation on additional work, and to the expert advice on the basis of which the Secretary of State will be asked to make his judgment, all developments to date in this regard have been reassuring.

[Mr. Michael]

In the current recession, we face difficulties. The figures that were produced by the economic appraisal cover a period of 15 to 20 years. It is very important that we should see early progress in this development, so that Cardiff may be the subject of successful regeneration. In the past, we have seen successful regeneration of the city centre, and I am proud to have played my part in that process, which was led by the public sector in partnership with the private sector.

A massive project like this cannot be evaluated and summarised in a few minutes—which is all that is available to me this evening. The local councillors have spent much time on all the issues involved. The barrage proposals do not have uncritical support from the elected representatives. The support has been, and is, critical, careful, sceptical and conditional.

Mr. Morgan: My hon. Friend has referred to the successful redevelopment of the centre of Cardiff. I agree that the evolution of the retail central area has been remarkably successful. Does he agree—my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) may well have personal knowledge of this matter—that the successful redevelopment of Cardiff city centre took place only after a major change in strategy? The original overweaning, over-ambitious Ravenseft development was thrown out, and a much more logical evolution of the existing centre was agreed on. A big development would have wrecked the town centre. That happened because the people of Cardiff rose up and said, "We do not want this big development. It will cost too much, and will take away the Cardiff that we know."

Mr. Michael: As usual, my hon. Friend has run off down the tram-lines. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who at that time represented Cardiff, North, will recall the successful battle that led to the stopping of the Hook road. My hon. Friend equates two different issues. I was associated with the successful redevelopment of central Cardiff after 1974, and I believe that that project bears comparison with the redevelopment of south Cardiff. Both of those projects are based on a partnership between the public and the private sectors, involving an exhaustive examination of the issues, endeavouring to ensure that the public interest is properly served.

This Bill has survived the Select Committee procedures of both another place and this House. So long as the safeguards are in place, and so long as we test each piece of evidence to destruction, as we have done to date, local people will want the project to go ahead. The evidence, in terms of the provision of jobs and homes and of protection of the environment, remains overwhelming. That is true for my constituency in particular, but I submit that it is true for Cardiff as a whole—indeed, for south Wales as a region. It is for that reason that I return to my basic and simple plea to the House: do not dash the hopes of my constituents for a better future, a better environment, homes and jobs; support the motion and allow this Bill to make progress through the House.

7.18 pm

Mr. Cranley Onslow (Woking): I apologise for intervening in a debate on a Welsh matter. I do so for one reason about which I shall be brief.

I should like to know a little more about the provision that is made in the Bill for fish passes, which are essential if the run of migratory fish on the River Taff is to be preserved. I am glad to see that that is mentioned as a significant factor. I look forward to being able one day to fish the Taff. I want the promoter and his colleagues to be frank with the House and, if there is time, tell us that they are confident that the works set out in the Bill will have the desired effect.

Mr. Michael: I can assure the right hon. Gentleman that this has been the subject of very serious discussion since the earliest stages of the Bill—not least because my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), with his considerable interest in fisheries matters, made sure that was so. For that reason—with the best possible advice that could be obtained, and following consultation with fisheries interests—the pass has been built into the proposals to ensure a better future for the fish, as well as for humans, following the building of this barrage.

Mr. Onslow: I am grateful to the hon. Gentleman. I have seen the provision in the Bill to build the pass, but I want to be sure that there is reason to suppose that the fish pass will work. The hon. Gentleman should know that some fish passes do not work. A great deal of money is spent on them and by the time that people find out that they do not work, it is too late. It is impossible effectively to restore a run to a river if the fish pass is deficient.

Mr. Michael: That is why there has been the closest consultation. It is a point which I have been careful to note in correspondence with the promoters from the early stages. We must ensure that the best possible advice is available and that a fish pass which will work is built.

Mr. Onslow: I am reassured to hear that. But I shall be mean and press the hon. Gentleman further. I should like to know what the fish pass is modelled on. Fish passes have been built in barrages elsewhere in the world but have not had the desired effect.

Mr. Morgan: I am pleased to see the right hon. Gentleman here. I can even detect the slightest hint of a Welsh accent when he speaks. The problem is not only the fish passes. In August during periods of low flow when oxygen levels are low sewin—sea trout, for those who are more familiar with the fishing industry outside Wales—make their first run. That causes a particular problem because it is the period of minimal oxygen levels. The fish swim up the River Ely into my constituency. There are about three miles of narrow river channel from the edge of the lake after the fish will have to negotiate the fish pass. They then go up the River Ely to Ely weir. They have begun to do that only in the past two years because of the construction of sewage works further up the River Ely. We are expected to believe that when those sewin travel up the River Ely through my constituency in August at periods of low rainfall and therefore low oxygen, a mobile oxygen machine running underneath them will preserve the oxygen levels as they traverse the long, narrow river channel until they reach the better oxygen levels under Ely

weir. Anyone who believes that the sewin will not be disturbed by the distinctly odd feeling of having an oxygen machine running a couple of feet underneath them does not know about the fishing industry. I shall be interested to hear my hon. Friend's expert opinion on the matter.

Mr. Onslow: I am not sure that I am the hon. Gentleman's hon. Friend or that I am an expert. It is the first time that I have ever heard of the oxygen machine of which he speaks.

Mr. Michael: Perhaps I can help the right hon. Gentleman. I said that the matter was under detailed discussion with the fisheries interests and the National Rivers Authority. Agreement has been reached on water quality and a fish monitoring programme, which is well under way. There is agreement in principle on the design of the fish pass. Discussions are continuing to ensure that the fish pass is the most effective possible. I refer the right hon. Gentleman to discussions in Committee which went into the matter in some detail. I shall be interested, when he has had an opportunity to read them, to hear any further points that he has to make.

Mr. Onslow: Again, I am grateful to the hon. Gentleman. I am anxious not to delay the House, but I am equally anxious that assurances are given in our proceedings in the House, rather than taken on trust.

I notice that clause 69(6) of the Bill contains a provision which may have escaped the notice of the hon. Member for Cardiff, West (Mr. Morgan). It says:

"When so required by the rivers authority the undertakers shall discharge water through the high-level sluices of the barrage for the passage of migratory fish."

That may be of some help in this context, although it will not necessarily help much once the fish have passed through the barrage. That is another matter to be considered.

I am serious about these matters because estuarial barrages are a great obstacle to migratory fish. It is no use pretending otherwise. So that the fish can complete their life cycle, smolts must be able to get downstream to the sea without damage. I see nothing specific in the Bill that requires the undertakers to make provision for that. I should be more content if I could see some written evidence, rather than having to take an assurance across the Floor of the House. I cannot reasonably ask for that this evening. I promise the hon. Member for Cardiff, South and Penarth (Mr. Michael) that I am trying to be reasonable. I do not seek to press him.

Mr. Michael: I shall be happy to write to the right hon. Gentleman on the matter.

Mr. Onslow: I am glad to have that assurance and I look forward to seeing the evidence. Until I have such evidence I shall be reluctant to allow an irrevocable measure to be passed and implemented.

I have an additional reason for being unhappy about the Bill. Elsewhere in south Wales there are threats and projects to put estuarial barrages on other rivers around the Welsh coast. The Usk is one of which I am aware. I should be surprised if it were possible easily to convince a committee that the run of salmon on the Usk could be preserved once the barrage was installed.

I am not being dogmatic. I do not seek to be obstructive, but if a river is lost to migratory fish through the construction of a barrage, the barrage will not be taken away so that the fish can come back. We need to know about such matters before we make decisions, rather than find out about them afterwards.

7.25 pm

Mr. Alan W. Williams (Carmarthen): I did not take a particular interest in the Cardiff bay barrage when I first heard about it several years ago. My interest was aroused when I watched the video provided to every Member of Parliament by the Royal Society for the Protection of Birds two or three years ago. Just one viewing of the video convinced me that there were major environmental problems with the barrage. In particular, wading birds and migratory birds use the mud flats at the site and the proposals would take away their habitat. That film, entitled "Half a million dunlin dinners", would impress anyone who is interested in the preservation of species of birds.

The other argument which convinced me of the danger of the barrage is the problem of the nitrates and phosphates which the Taff and Ely would bear if the barrage were built. An ideal site for eutrophication would be created. In our debates on the Bill in the House the hon. Member for Caerphilly (Mr. Davies), who is not with us tonight, outlined in detail the strong environmental objections to the barrage.

But my main reason for speaking against the Bill is its prohibitive cost. I am not adverse to public expenditure. Labour Members believe strongly that public expenditure can be used to stimulate private expenditure. But we must consider cost-benefit and value for money. In our earlier debates a cost of £82 million was given. But, as my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said in the previous debate, the true cost will probably be four or five times that. We could be spending £400 million or even £500 million of public money. I grant that there will be a multiplier effect. The investment may be multiplied five or even 10 times. But with the economy in its present state, a recession or even a slump looming and public services in their present state, I wonder whether that level of investment is justified and would have sufficient benefits to the economy and in terms of jobs.

My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) circulated to all Welsh Members a feature from the *South Wales Echo* describing the scheme and some of its effects and advantages. It estimated that the investment would trigger £2,000 million of private and public investment. The £400 million put into the scheme would be multiplied by five. Over a period of 10 or 15 years it was estimated that 24,000 jobs would be created. That is impressive. It would be marvellous for Cardiff and the people who live within a 20-mile radius of the project. But at a cost of £2,000 million for 24,000 jobs, we are talking about £80,000 per job created. I wonder whether public money could be used more effectively. In a boom, the private sector may look to the service industries, up-market housing and the type of leisure facility that the scheme would provide—as in the docklands area in London—but times have changed. We are no longer in that brief period of economic miracle; we are in recession. Will private money follow the public money? I do not think so.

Last week, in an economic debate in the House, my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) quoted a Conservative Back Bencher,

[Mr. Alan W. Williams]

talking about present unemployment, who said that some of the jobs which are now disappearing, because of the recession which is hitting the south and the south-east so hard, should perhaps not have been jobs in the first place. In a sense they are yuppie jobs. But those are the sort of jobs that we should be trying to attract to Cardiff. Considering our present economic climate, will that type of job be provided?

If the Bill is passed, my main worry is that the scheme ignores the real needs of Wales. If £400 million of public money is available to invest in Wales, let us not invest all of it in Cardiff and depend upon a trickle-down effect spreading to the valleys, and perhaps as far as my constituency. Many constituencies in the valleys, and in west and north Wales, are in a state of deprivation. That £400 million must come from somewhere. It will come from cuts in other parts of the Welsh Office budget. That money is needed in the health service, for housing, for agriculture and to create better-paid jobs throughout Wales.

I am certain that if we had a Welsh assembly to allocate the resources of the Welsh Office—I hope that we shall before the end of the decade—and if that assembly were debating this proposal this evening, it would not let it through because it is a poor way to use public money. The scheme was wrong in 1988, when I attended my first debate on it. Frankly, given our present economic situation, the project is crazy.

7.32 pm

Mr. Gwilym Jones (Cardiff, North): I am glad of this opportunity to speak, but I assure the House that I shall try to be brief and I shall explain my reasons in my few remarks.

I share the attitude of the hon. Member for Cardiff, South and Penarth (Mr. Michael). I have what I think are well-founded hopes about what will be achieved by the Bill when it is finally enacted. I do not share the reservations of the hon. Member for Carmarthen (Mr. Williams) about the use of public expenditure, nor about the fact that there will merely be a trickle-down effect for the rest of south Wales.

I am confident that these large sums of public money will be more than repaid because of the way that they will improve south Cardiff, the economy of south Cardiff and of south Wales. The money will be repaid because of the way it will increase the capital value of property and rental values. At the end of this very large equation, I am sure that the balance sheet will show a decidedly healthy profit for all those who invest in it.

I do not agree with the implied criticism of there being a mere trickle-down effect. I think that there will be a natural evolution, and that the scheme will benefit all of south Wales. That benefit is likely to flow in a tangible form to points as far away from the capital city of Wales as Carmarthen. The transformation of Cardiff will reach out, and will make the capital city of Wales the dominant city in the western quarter of Great Britain, overtaking Bristol and placing us in a higher ranking. Of course the hinterland—the rest of south Wales—cannot be separated from that.

It is significant that the scheme is the one feature that does not seem to have been affected by what we refer to as the recession, or downturn in growth of the economy. In south Wales, I keep hearing about the amount of interest that exists in the redevelopment of south Cardiff, and no one has been dissuaded. There is so much positive, keen enthusiasm that it is the bright spot in the crown.

The reason why I wish to be brief tonight is that I detect a real feeling of exasperation in my constituency and elsewhere in Cardiff as to why the Bill has taken so long to proceed through the House and the other place. I often meet people who ask me to explain why on earth it is taking so long. Why is this the third parliamentary Session that we have been considering the scheme? I do not want to frustrate proper examination of the Bill, but the feeling in Cardiff and elsewhere is that surely, by now, the House should have spent enough time to enable it to come to a final conclusion—ideally a final conclusion that will allow the Bill the barrage and the redevelopment of south Cardiff to proceed.

I must take this opportunity to say how hard everyone involved in the Bill—the promoters, south Glamorgan council and Cardiff bay development corporation—have worked to provide such a thorough well-thought-out package which is of proven advantage to the capital city of Wales. Everyone concerned has also taken every opportunity to examine all the questions and to try to respond to all the doubts.

One aspect that I have not been greatly involved in is the one that my right hon. Friend the Member for Woking (Mr. Onslow) mentioned—fish passes and how they will be affected by the barrage.

The promoters of the Bill are determined to ensure that every reasonable step is taken to overcome or to assuage any and every objector. As a representative of the capital city of Wales, I can take pride in knowing who is involved with the Bill, both on the council and from the Cardiff bay development corporation.

I have no wish to detain the House unnecessarily, nor do I wish the House or the Bill to be detained unnecessarily. The Bill is excellent. It represents so many of our hopes that it deserves to succeed. I hope that it will succeed. I hope that we will approve the Bill this evening and that we will speedily move on to bring the scheme to the proper conclusion that it deserves, at the earliest possible opportunity.

7.37 pm

Dr. Kim Howells (Pontypridd): Like the hon. Member for Cardiff, North (Mr. Jones), I shall be brief. Many of my constituents would not greatly care if a decision were taken to build a barrage and if Cardiff decided to flood itself—if that happens. I do not share those views, as I am fond of docklands Cardiff and always have been. I entirely agree that there is an umbilical cord linking the coalfield and the docks which will never be broken.

However, I and my constituents find it strange that suddenly such a large sum of public money—whether £82 million or £500 million, another figure which has been quoted here tonight—can be found and be made available for the sort of scheme that we in Pontypridd are familiar with in many ways. We should like to develop our town centre, and to build a ring road to take away traffic, which would improve the quality of life for people in the town and attract jobs to Pontypridd. We do not seem to be able to find that sort of money. I wonder why. I do not know whether the money is going to Cardiff. Perhaps the Welsh

Office think of the barrage scheme as a flagship investment for the future. I am wary of flagship projects—I remember that the poll tax was the Government's flagship project and we all know what happened to that.

I am dubious about the scheme, but if Cardiff wants to do it that is its business. I should have preferred Cardiff to debate the matter at a public inquiry, rather than using the back-door method of a private Bill, but that is another matter.

Mr. Michael: It should be made clear that, as my hon. Friend may be aware if he takes his tongue out of his cheek, because navigable waters are involved, this is the only procedure that can be followed. The one thing on which we can unite in the House is that the private Bill procedure is unsatisfactory and needs to be changed. I think that it is being more unfair to me and to the promoters than to the opponents, but that is a matter for debate.

Dr. Howells: I thank my hon. Friend, who is always most constructive. Regardless of that, a great many people in south Wales feel wary about the proposal because it seems that large sums of public money will be used to prime the pump of the south Cardiff economy. I hope that many people in my constituency will benefit as a result. I have asked the hon. Member for Pembroke (Mr. Bennett), through parliamentary questions, how many extra jobs would be created as a result of building the barrage, and how that number would compare with the number that could be created if the barrage were not built. There is no quantifiable figure. All kinds of theories are possible, but there are no figures that mean anything.

The promoters of the Bill might care to consider what would happen if, instead of a trickle up from Cardiff, there was a trickle down from somewhere like Pontypridd if we began investing in it. I sense that we are not investing in Pontypridd because it does not have the appeal to big business that the Cardiff bay investment may have. That may be right. Geographically, Pontypridd is much smaller. We do not have the space or the mud flats to flood. It is a different kind of community. Not only does Pontypridd feed a population down to south Cardiff, but it also feeds the waters which will be dammed by the barrage.

There has been talk about what will happen to the fish runs. I should like to know what will happen to the sewage runs which will go into the lagoon created by the barrage. I ask Welsh Office Ministers to take the message to the Secretary of State for Wales and to the Prime Minister that at any time they like they may come to my constituency, and I will guarantee them a huge audience if they will dive head first into the River Taff and show their confidence in the quality of the water by swimming in it. When either the Secretary of State for Wales or the Prime Minister does that, I shall be more than glad to support the Bill because it will mean that the waters of the Taff are clean.

Mr. Rogers: Might not it be better to invite the chairman of the National Rivers Authority to Pontypridd to swim in the River Taff? He could come with a dual purpose, because I understand that he is also connected with Associated British Ports, which has a very strong vested financial interest in the development of the barrage. He could kill two birds with one stone. I believe that they literally would be killed if they dived into the River Taff.

Dr. Howells: That is a remarkable suggestion. I am sure that the chairman of Welsh Water and the chairman of the National Rivers Authority have more sense than to dive into the River Taff at the moment because it is filthy, as is the River Ely, which would also flow into the barrage; indeed, it is even more filthy than the Taff. If they accepted the offer, they would both need their heads read.

Mr. Morgan: May I make an alternative suggestion? My hon. Friend the Member for Pontypridd (Dr. Howells) may be alluding to the Prime Minister's well-known affection for HP sauce. If he sees the River Taff flowing past my hon. Friend's house, he will think that it is a river of HP sauce.

Dr. Howells: That is stretching things a bit.

There is a serious point. I cannot see the sense of building a barrage across two rivers when those rivers are filthy. I have never heard from the Government Benches or from any other quarter that the rivers will be cleaned before the barrage is built. I also do not believe the guarantees that I have had about the magic barge which will float on top of the lagoon and will clear the build-up of nitrates and phosphates which has been mentioned by my hon. Friend the Member for Carmarthen (Mr. Williams).

Mr. Michael: I do not want to stop the entertainment value of my hon. Friend's contribution, but I must make the point that associated with the building of the barrage is a proper means of dealing with the sewage outfalls into the bay. There is also the fact that what comes into the bay from the Severn estuary will be kept out by the barrage. I hope that I speak for my hon. Friend and myself when I say that we want to see a clean-up of the sewage outfalls into both rivers in the longer-term future, irrespective of the barrage.

Dr. Howells: I thank my hon. Friend. I am glad that he shares my wish to see the rivers cleaned. The problem is that I wish for many things, but it does not seem that they will come to fruition in the near future. I certainly do not see hard proposals for the cleaning of either of those rivers, any more than I do for the cleaning of the Severn estuary in general. I wonder whether the remedial construction works on the sewage outfalls which my hon. Friend has talked about will simply collect some of the sewage which will still flow through my constituency in both rivers and take it out as an expedient rather than make a real attempt to clean the rivers from source. It is a serious point.

If the Welsh Office is prepared to put public money into the barrage project, it should also think about the 500,000 people who live along the Taff and its tributaries who suffer from the filth and the litter that gather on the banks and from the fact that, as communities, we cannot face our rivers. When we talk of redeveloping our communities, we think of doing it as we did originally, by turning our backs on the rivers. It is a scandal that there seems to be one vision for south Cardiff, but quite another for the valleys. Only small sums seem to be available for projects in the valleys while there is a lot available for south Cardiff.

To return to the point I made earlier, there is an umbilical link between south Cardiff and the valleys. South Cardiff grew up entirely because of the development of the coal mines which were sunk along the banks of the Taff, the Ely, the Rhondda, the Cynon and the other rivers

[Dr. Howells]

which will feed into the barrage. It would be good if the project could help transform the coal communities which have been so cruelly run down over the past 10 years.

The promoters of the Bill should understand that development-led projects such as the barrage must take into account greater environmental considerations and not just the wildlife which will be affected within the boundaries of the project. They should take account of the fact that Welsh Water still allows raw sewage to flow into the Taff, the Ely and other rivers in south Wales, and that we cannot redevelop our towns using the rivers as focal points. I should like those rivers to resemble the rivers in the constituency of the hon. Member for Ceredigion and Pembroke, North (Mr. Howells). I should love to see our rivers crystal clear, like those that I swam in as a child. That should not be a demand which is beyond our making.

The Government have allowed the water authorities enough leeway. They have allowed them to get off with so-called derogations for a number of years before they have to carry out the real remedial projects which are needed. The point is worth making on the Bill that if it is good enough for south Cardiff, it is good enough for the valleys. If there is an umbilical link, it should extend to all aspects of the project. The valleys should enjoy the kind of environment that the promoters say will be enjoyed by those who live around the lagoon and the barrage.

I do not want the project to fail if it can be proved to be good. On the other hand, I do not want it to eclipse what is desperately needed in the hinterland of south Wales. I want all the schemes to be carried out, but not in the next decade or the next century. The people of south Wales have suffered long enough from filthy rivers and from an environment scarred by industrial development and by slapdash development for so many years. It is time the Welsh Office began to regard the hinterland as an area which is as fit as south Cardiff for flagship development.

7.49 pm

Mr. Keith Raffan (Delyn): I did not intend to speak, but I was stimulated—perhaps "provoked" is a more appropriate word—to do so by the remarks of the hon. Member for Carmarthen (Mr. Williams). Although he may find it strange, I support the hon. Member for Cardiff, South and Penarth (Mr. Michael), and, indeed, my hon. Friends the Members for Cardiff, Central (Mr. Grist) and for Cardiff, North (Mr. Jones).

Like the hon. Member for Carmarthen, I have taken a close interest in the Cardiff bay development since its conception. Like many hon. Members representing other parts of Wales, I have attended presentations organised by the Cardiff Bay development corporation, and have discussed the issues with the corporation. This visionary project will, in my view, transform the economy of south Cardiff, and will have a multiplier effect on the wider local economy. There is bound to be some delay because of the current economic downturn, but that will do no more than temporarily hold back the ultimate economic growth that the development will bring. It will make a major contribution to the economy of south Wales.

If the politics of envy are to enter into the debate, perhaps I am entitled—as my constituency is even further from Cardiff than that of the hon. Member for Carmarthen—to comment. Large sums of public money have already been spent in my constituency, and in the whole of north Wales. I pay tribute to south Wales Members, who have, for instance, supported the massive investment in the dualling of the A55: such public-sector pump-priming makes a major contribution to the regeneration of the north Wales economy. An enormous amount—£500 million—has been or is being spent on the construction of the road. Public sector pump-priming has helped to establish a number of industrial estates in my constituency, in Wrexham Maelor, and in Alyn and Deeside—which, of course, are both represented by Labour Members.

We have seen how effective that public sector pump-priming has been in stimulating private sector investment, no more notably than in the constituency of the shadow Secretary of State, the hon. Member for Alyn and Deeside (Mr. Jones). It has brought about considerable development in, for instance, business parks, such as at St. David's, Ewloe. I am convinced that the same will happen in Cardiff. As Welsh Members, we are all surely entitled to take some pride in the revival of our capital city as a symbol of the Principality.

I appreciate the concern of hon. Members who represent the valleys about the deprivation and environmental pollution that confronts them. Nevertheless, I believe that it would be not only petty but unwise to obstruct and delay this project further. As I have said, as a north Wales Member, I have intruded in the debate with some trepidation, but I do not resent this massive investment in south Cardiff. I want to see the models and the presentation come to life; I expect a great and proud city to come to fruition through this major economic development. I agree with my hon. Friend the Member for Cardiff, North that this project will help Cardiff surpass Bristol, and act as a draw for the many companies that are now leaving the south-east.

The hon. Member for Carmarthen is, in a way, my hon. Friend: in the Select Committee, we have discussed the connection between Wales and the channel tunnel. The French have been investing massively in their infrastructure, because they expect the tunnel to help to develop the Pas de Calais. We on the other hand are concerned about further development in the golden triangle represented by London-Paris-Hamburg. I am very critical of the Government's lack of investment in infrastructure to meet the challenge of the tunnel. We have fallen way behind the French in terms of both rail and road investment.

I am glad that the hon. Member for Torfaen (Mr. Murphy) agrees with me on this point. He was also a member of the Select Committee during that inquiry and he is a much greater expert on French affairs than I am: he visits the country so frequently. We must ensure that the necessary draw is created. I hope that the Government will also soon come to their senses and invest in the necessary infrastructure. I think that Cardiff has the potential to be a major attraction to companies post-1992, and after completion of the channel tunnel.

Mr. Alan W. Williams: The hon. Gentleman has interpreted my comments as representing the politics of envy. That may be partly true; but politics is the language of priorities, and I do not think that this development should be our number one priority now. We are running a massive balance-of-payments deficit, and we are in an economic recession. Surely public money should be going into manufacturing rather than service industry.

Mr. Raffan: The hon. Gentleman knows that I differ with him on this point, because I have done so when sitting next to him in the Select Committee. I do not believe in this distinction between the service and manufacturing industries; I want Wales to have a share of both. Indeed, I should dearly like more service industries in my constituency. I have been lucky that, as a result of the enterprise zone initiated by the Government and opposed originally by the Labour party, many new full-time male manufacturing jobs have been created in my constituency; but, in any local economy, there should be a balance between service industry and manufacturing jobs.

The hon. Gentleman is leading us up a cul-de-sac, distracting us from the main issue. He speaks of his contempt for "yuppie jobs", but not all service jobs are "yuppie jobs". The service industries must themselves be serviced, and jobs will, I believe, be created not only for yuppies but for many other people in Cardiff as the local economy is developed. That will result in an increase in wage levels, something that I would expect the hon. Gentleman to welcome.

We must make Cardiff more attractive. I think that the Cardiff bay development will contribute to the economy of not only the city but the whole surrounding area of south Wales, and will also improve the quality of life enjoyed by the local people. I agree with my hon. Friend the Member for Cardiff, North. Both Houses have considered the Bill for long enough and in enough detail, having debated such detailed matters as fish passes as we have today. It is time for the Bill to be passed, and for this development to be implemented so that the vision of the former Secretary of State, Lord Crickhowell, and many others can become a reality and the life and economy of our great capital city can be transformed.

7.57 pm

Mr. Allan Rogers (Rhondda): As we saw in the debate in December 1989, there is always the danger of our slipping into a bad-tempered mode, because those speaking for or against the measure are mostly Welsh Members and are generally believed—at least by the opposite side—to be speaking on behalf of vested interests.

We in Rhondda, however, have no particular vested interest in the Bill's success or otherwise. We detect no envy in the Bill: if it is possible for the city of Cardiff to develop, we will support that wholeheartedly. Living in the hinterland as I do, with many constituents working in Cardiff, I see a spin-off for my constituency if Cardiff prospers; but I would prefer the money—various figures have been mentioned, but I believe that about £400 million is being put into the scheme—to be invested directly in areas whose need is far more urgent.

The proceedings on the Bill in this House, then in Select Committee and again here have demonstrated that the development of the city of Cardiff does not depend upon it. Development is taking place in the docklands area without the barrage. We are not against public investment in the docklands area. However, all that the barrage does is to create a lake. It will not create an acre of ground on which factories and offices can be built. All that it creates is a lake where people can moor their boats. This huge investment is designed to create a pleasant atmosphere in order to attract investment. However, investment is going on in Cardiff without the barrage.

Mr. Michael: I appreciate the fact that some of my hon. Friend's remarks have been good natured and generous. Does he accept, however, that some of the information that I provided privately, both to my hon. Friend and to other colleagues, shows that the barrage development will lead to investment and jobs that would not come to Cardiff without it?

Mr. Rogers: Yes, that is an interesting question. However, the development of Cardiff bay and the docklands area is continuing apace. My constituency is probably the cultural centre of Wales. If any of my constituents want to lay on a cultural programme, they have to use St. David's hall or County hall in Cardiff. That is right in the middle of the docklands area. It is a wonderful new development, which I applaud. The area in Cardiff that needed to be redeveloped was badly run down. At one time my brother was warden of the Central boys club in Cardiff. I served in the Army with many lads from the docklands area. I boxed in the same Army team as many of the illustrious boxers who come from that area. I know them well. The docklands area needed to be redeveloped. However, we do not want a barrage. No land will be created by it.

One wonders why the Bill is being backed so strongly by the Government. Why are they so anxious to pump money into it? The scheme was the idea of a previous Secretary of State for Wales, Lord Crickhowell. He is a director of Associated British Ports which owns 160 acres in the Cardiff bay area. The same ex-Secretary of State is now the chairman of the National Rivers Authority. When Cardiff city rightly submitted schemes to him to attract development money he said, "You can have the urban development corporation or nothing at all." Over the years the UDC has tried to fit its plan into the framework that was constructed at that time.

Mr. Michael: Does my hon. Friend accept that the first development—the creation of County hall, the flagship of south Cardiff—was undertaken by South Glamorgan county council?

Mr. Rogers: I do not disagree. I pay tribute to both Cardiff city council and to the county council. They are doing all that they can to develop the area. However, there is a huge private sector interest in the development which far exceeds any previous public sector interest in it. If it could be demonstrated to me that the barrage would add substantially to the land bank in the Cardiff docklands area, I should support it. However, it does not.

The valley communities of south Wales also need huge investment. Successive Governments have provided it. Coal tips have been reclaimed for industrial development. The valley communities accept that the land bank needs to be increased. However, the barrage will not increase the amount of land available in the Cardiff area for industry and offices.

If another scheme had been adopted, the environmental and geological problems associated with the barrage would not exist. It would have confined reclamation to the eastern side of the estuary. It would have added to the amount of land available and it would not have had the environmental implications of the barrage, including its impact on wildlife. Moreover, the citizens of Cardiff object strenuously to the possibility of ground water flooding their homes.

[Mr. Rogers]

It is not wise for politicians to set themselves up as experts. However, politicians must have a reasonable knowledge of any issue if they are to understand the arguments. When I read the plethora of documents that were pushed towards us when the scheme was first mooted, I was struck by the lack of research into issues such as ground water. I understand that the Select Committee asked for a second opinion. However, it was not sought and the report was published without that additional information being made available.

When I queried that at the presentation, the promoters treated me in a most hostile way. I thought to myself that something must be wrong, so I looked further into it. I wondered why they had been so hostile to my question. I read the report again and found that the technical implications of the scheme had not been properly thought out. The initial report contained such phrases as, "When the full appraisal has been completed." It was then that the flooding problem for some of the homes in the constituency of my hon. Friend the Member for Cardiff, West (Mr. Morgan) became a real issue. That possibility still exists. According to the technical appraisal, no viable solution has been found.

It serves no purpose to say that, if we cannot have it, nor can Cardiff. That is a self-defeating argument. The whole area of Cardiff and south Wales needs investment and development, however that takes place. If development in Cardiff benefits the valleys, that will be to our good. However, £400 million of public money will be spent on the scheme and the benefits will accrue to private business. No real public interest will be served. That money is being invested because of the private interests of Tory politicians, who sucked the city councils and county councils into the scheme by giving them no options in the beginning.

I object to the building of the barrage. If there were a Cardiff Bay Bill and £100 million were being invested in the Cardiff bay area, I should support it 10 times over. But as long as it is a badly founded and ill-thought-through Bill for a narrow sector of private interest, I shall oppose it.

8.10 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Nicholas Bennett): As the House knows, the Government have a substantial interest in the Bill's objectives.

The barrage proposal has been the subject of detailed and wide-ranging studies. We have given these careful consideration, weighing in particular the economic and environmental aspects. Our conclusion is that the case for the barrage is strong, in view of the substantial economic, recreational and other benefits that will arise, not just for Cardiff but for the wider area of south Wales. This view was not seriously challenged by the majority of the Committee which examined the Bill in detail last year.

The Committee heard a great deal of evidence on ground water and, understandably, sought a number of undertakings from the promoters before allowing the Bill to proceed. My right hon. Friend the Secretary of State also gave an undertaking that, in considering the further work on ground water requested by the Committee, he would satisfy himself that all the relevant economic, technical and safety criteria could be met before giving consent for public funds to be used for constructing the barrage.

As my hon. Friend the Member for Cardiff, Central (Mr. Grist) told the House on 17 October 1990, to assist him in that task, my right hon. Friend has appointed an eminent specialist, Mr. Roy Stoner, director of the Institute of Irrigation Studies at the university of Southampton, as an independent expert adviser. The House should be aware that Mr. Stoner has broadly endorsed the approach taken by the promoters' consultants in carrying out the further work. Copies of Mr. Stoner's report have been placed in the Library of the House. For its part, Cardiff Bay development corporation has confirmed that many of Mr. Stoner's suggestions have been taken on board and has given assurances that the remainder will be incorporated in the further studies.

Mr. Rogers: I understood that, on 14 May, the Select Committee appointed Dr. John Miles to act as a second opinion on behalf of the objectors to the barrage so that the Committee could ensure that the objectors would not be flannelled by the consultants being paid by the Cardiff Bay development corporation. Dr. John Miles was not given the opportunity of providing that second opinion on the interim report. Those are the facts that I have been given; if the Minister says that they are not true, perhaps he could say what happened to Dr. John Miles' report because the publication of the interim report came out of the blue and its contents have not been verified by a second independent opinion.

Mr. Bennett: I cannot comment on what the hon. Gentleman says about the Committee, but Mr. Stoner is producing an independent report for the Committee as a result of the remarks that were made by the Committee in its final report. It will ensure that all the concerns put forward by people in Cardiff during the Committee stage are taken into account.

The report on the further ground water studies and the promoters' response are expected to be submitted to my right hon. Friend by the end of August. They will be placed in the Library of the House. Interested parties will be able to make written representation to my right hon. Friend about the contents of the documents over a three-month period.

That takes account of the matters raised by the hon. Member for Rhondda (Mr. Rogers).

Mr. Morgan: Will the Minister, in the course of his prepared statement, refer to the reasons for not allowing public hearings or meetings? Why is he allowing only written statements after the Committee discussed public consultation? The concept of simply sending letters to the Secretary of State is a narrow definition of public consultation. The Committee promised public consultation. The Chairman of the Committee is present and may be able to elaborate on what the Committee had in mind. The Secretary of State interpreted it as letters only, but I do not think that that is what the Committee intended.

Mr. Bennett: The submission of written comments is a well-established method of consultation and is used for hospital and school closures. Publicity and guidance on the arrangements for representations will be issued nearer the time. The Committee that examined the Bill was not specific about the arrangements that will apply during the

three-months consultation period. I am satisfied that the submission of written comments strikes the right balance between a thorough examination of the issues and the need to come to a decision without undue delay. The independent adviser will have all the written representations before him and will be able to take them into account in his report to my right hon. Friend.

Once my right hon. Friend has considered the report of the further studies, the promoters' response and the representations made to him in the light of Mr. Stoner's further advice, I expect him to be able to announce his decision on public funding and the final position of the protected property line in the early part of 1992.

The Government have already made available or announced very significant funding for the corporation —over £190 million to the financial year 1993-94. Provided that my right hon. Friend is satisfied that the criteria in respect of the further work on ground water can be met, we intend to honour the long-standing commitment that the cost of the barrage will be met by the development corporation with the assistance of grant-in-aid from the Welsh Office.

I hope, therefore, that the House will allow the Bill to proceed to its remaining stages.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): On a point of order, Madam Deputy Speaker. In the Minister's one and only contribution to the debate, I thought that he would at least inform the House about the wider public expenditure consequences of the Bill. The Minister bothered to write to individual Members, including me—*[Interruption.]*—and he should have developed the case about the Bill's public expenditure implications.

Madam Deputy Speaker: That is an important matter for debate, but it is not a point of order for the Chair.

Mr. Rogers: Further to that point of order, Madam Deputy Speaker. I know that the Minister finds this matter amusing. He muttered that we did not ask him. During my speech, I referred at least four times to the huge sums of money being invested. The Minister adds no dignity to his office or to the House by refusing properly to answer questions on the most crucial issue in this debate. We shall take his silence as an ominous sign that the amount of money being spent is as huge as we said it was.

Mr. Alan W. Williams: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. These are matters for debate and those are not points of order for the Chair. Members who have not yet spoken can raise those matters as the debate progresses.

Mr. Rowlands: Further to the point of order, Madam Deputy Speaker. I should like to make a further request and ask the Minister to seek to catch your eye to tell the House what he has stated in correspondence about the nature and character of the public expenditure implications of the Bill.

8.19 pm

Mr. Ian Grist (Cardiff, Central): The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) could simply quote the Minister's letter, which contains the explanations. Hon. Members who have not seen it may be interested in it.

I am delighted to be the third of the four Cardiff Members to support the Bill. I came to Cardiff about 28 years ago, and I remember seeing the docks run down and the increasing dereliction of the area. The transformation now taking place and which the barrage promises will make the city world famous again. It has taken a long time to reach this stage, which is a great shame. We would have come further down the road but for some rather wayward opposition to the Bill.

The hon. Member for Cardiff, West (Mr. Morgan) became a Member in 1987. This measure had already been launched by then. He took his time in finding his Opposition to the Bill and, having heard voices, decided which way to go. I regret the fact that some valley Members have followed a beggar-my-neighbour, envious approach. The hon. Member for Pontypridd (Dr. Howells) is an honourable man. I enjoy reading his comments on Sunday and treasure his company.

Mr. Morgan: Will the hon. Gentleman give way?

Mr. Grist: The hon. Gentleman——

Mr. Morgan: On a point of order, Madam Deputy Speaker. The hon. Member for Cardiff, Central (Mr. Grist) made some rather unparliamentary criticisms of my motivation for opposing the barrage and said that I had heard voices. I should have liked to put him firmly in his place, but he did not give me an opportunity to do so.

Madam Deputy Speaker: Order. It is my duty to listen to genuine points of order, and I must do so. I was under the impression that the hon. Member for Cardiff, Central (Mr. Grist) was coming to the end of a sentence and was about to give way.

Mr. Grist: Actually, I was not about to do so, Madam Deputy Speaker. I am sure that the hon. Member for Cardiff, West will be well able to look after himself when he speaks.

Mr. Morgan: The hon. Gentleman said that I had heard voices and had taken my time before opposing the Bill. I remind him that the Cardiff Bay development corporation was formed in April 1987. I became a Member in June 1987. I read all the evidence that had been presented to the House of Lords and, within hours of finishing reading it, made my decision and openly declared my opposition to the Bill. In what other way does the hon. Gentleman suggest that it would be proper for a Member with constituency interests to make a decision on a private Bill? Does he go along with the Conservative party Whip, as Ministers always have, as evidenced by the Conservative party Whip of 7 February, which I have in my possession?

Mr. Grist: As a development officer for the county council, the hon. Gentleman probably knew about and well understood these proposals.

Mr. Morgan: Rubbish.

Mr. Grist: That is what I believe. The hon. Gentleman overestimated the opposition in his constituency, which

[Mr. Grist]

was shown in local elections. The seats were won by local candidates who opposed Labour party members who were against the development.

The Bill does wonders for not just Cardiff but south Wales. Cardiff is the capital. It includes St. David's hall and a great new shopping centre. It is the biggest city in Wales and is a magnet for the area. Roads radiate from it. As I am sure the hon. Member for Pontypridd remembers, development of the A470 was stuck in the 1970s, until the Government built it. That road provides access for the hon. Gentleman's constituents and others. A journey to Merthyr Tydfil on the A470 now takes 35 or 40 minutes. New roads in the area have created a close-knit community. The fame and wealth that this development will bring to south Wales will spill out. The hon. Member for Rhondda (Mr. Rogers) will have more people going to the Rhondda heritage centre because of the fame of south Wales. Other people will learn about the advantages of the valleys and the opportunities available to them.

The Bill is not just about south Cardiff, although, heaven knows, it is about reviving that part of the city that has fallen on bad times.

Mr. Rogers: I fail to follow the hon. Gentleman's argument. The Rhondda heritage centre is undergoing construction, before the building of the barrage, and the A470 was built 10 or 15 years ago. It is nonsense to suggest that those developments might take place in the valleys because of the Bill or to try to tie them in to the Bill.

Mr. Grist: If the hon. Gentleman is telling me that the Rhondda heritage centre has been completed and that it no longer needs money to support it, I am sure that the Welsh Office will be interested to learn that. I do not believe that the development has been completed. It still needs support.

The hon. Member for Pontypridd talked about space. If he knew Cardiff, he would know that it is ringed by the bay in the south, the M4 in the north and putative green belts to the west and the east. We need the new land that will be opened up by this development. The barrage will bring a focus to south Cardiff. It will give value to the land and attract industry and investment. It will bring 30,000 jobs and 6,000 houses. Those houses will not be just for yuppies, whom the hon. Member for Carmarthen (Mr. Williams) goes on about. A quarter of them will be for social housing. There will be a housing mix, just as happened in the Tarmac development.

The hon. Member for Pontypridd would like to know what the water standards will be. The water near the dock which the county council built will be the type of water in the bay. One would not necessarily want to fall into it but it would not do any great harm if one did so. Fish live in it, birds use it, boats manoeuvre on it and there are displays there. The barrage will bring similar development.

If Opposition Members turn down the Bill, they will be looking a gift horse in the mouth. They will not succeed in defeating the Bill, but they will muddy the water. They have not appreciated the evidence given to two Select Committees. Both Select Committees set a precedent by going to Cardiff to hear the views of the people and to see for themselves. That was a new step. No similar Bill has lasted so long and had such close attention paid to it. It has been supported by members of all parties. The hon. Member for Cardiff, South and Penarth (Mr. Michael) is far from alone in his view, although it may have sounded that way this evening. He knows that the Cardiff city council Labour party and county council Labour party overwhelmingly support this development. I am afraid that the hon. Member for Cardiff, West gets things wrong every time on this issue.

Mr. Morgan: On what evidence does the hon. Gentleman say that the Cardiff city council Labour party supports the scheme?

Mr. Grist: It does.

Mr. Morgan: Give us the odd fact.

Mr. Grist: As Labour party members dominate the city council——

Mr. Morgan: Where is the evidence?

Mr. Grist: The hon. Gentleman knows his party well. If the local Labour party opposed the Bill, he would say so.

The hon. Member for Merthyr Tydfil and Rhymney is a sort of Public Accounts Committee stand-in on this issue. I cannot understand that, but I believe that if he were still the Member for Cardiff, North, as he was between 1966 and 1970, he, too, would support this development.

Mr. Rowlands: The hon. Gentleman's assumption is incorrect. I had the privilege of serving Cardiff, North when I fought an equally grandiose nonsensical city centre scheme. Fortunately, it was heavily modified, and it led to sensible evolution of Cardiff's development. My approach and attitude to these proposals is very much the same.

The hon. Gentleman called me a sort of mini-PAC, and he was right. Unlike Ministers, we have not had statements. I received a letter signed by the Under-Secretary of State but obviously written by the hon. Gentleman. I hope to read it out later. The letter gave us some insight at least into public expenditure, but we have many questions to ask about it. I was astonished at the facile speech by the Under-Secretary. It did not develop those issues.

Mr. Grist: I thought that the hon. Gentleman was beginning to get into his stride. He knows that the public money that has gone to his constituency shows a smaller private return than will go into the Cardiff scheme. This is one of the best returns on public money available in any development in south Wales. In all his criticisms of this investment, the hon. Gentleman should remember that fact.

Mr. Rogers: I accept the hon. Gentleman's faith in his arguments because he was the Minister responsible for working out the public investment figures. As he is obviously an expert, having lived with the problem as a constituency Member and as the responsible Minister, will he tell us what return is expected from the £435 million which will be invested?

Mr. Grist: I should happily go over it with the hon. Gentleman afterwards. The total is £335 million, which shows how far out the hon. Gentleman was with his figures. Often, we accept low returns to rebuild town centres, to encourage housing development or a shopping centre or to clear a tip site. Such development may have a low return, but it is necessary to build up an area and to make it more attractive and available to new industry.

The barrage is commercial investment by the country in the capital city of Wales. I cannot stress that too strongly. I should have thought that hon. Members would want to see a successful capital city. The hon. Member for Merthyr Tydfil and Rhymney was quite right to say that the Ravenseft plan crashed when the pound was devalued because the then right hon. Member for Cardiff, South and Penarth had run into a bit of trouble. They had to pay £3 million in compensation——

Mr. Morgan: It was £4 million.

Mr. Grist: It was £4 million, was it? That was when Councillor Ferguson-Jones used the money to start St. David's hall. Ultimately, more money had to be found, and the right hon. and learned Member for Aberavon (Mr. Morris) topped it up. We ended up with a magnificent concert hall, which reflected well on south Wales as well as on the immediate area around Cardiff. We can all be delighted that, at last, we have a world-class concert hall. I am sure that the hon. Member for Pontypridd occasionally attends concerts and other events in that hall. It is good for his constituency and for the immediate environs of Cardiff. The same will apply to the bay development.

I have no hesitation in supporting this highly imaginative, worthwhile and economic transformation of the city that I have the pleasure and pride of representing.

8.31 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): It is always interesting to follow the hon. Member for Cardiff, Central (Mr. Grist), with his new-found freedom on the Back Benches to speak for himself. I happily follow him down the history of the Cardiff centre development, which was nothing to do with the Government of the day but resulted from the economics and fundamentals of the scheme. The Cardiff central scheme was fundamentally flawed because it was a grandiose scheme. Huge assumptions were made that depended on enormous expenditure on a roadway, for which a huge part of Cardiff would have had to be knocked down. It would have meant destroying one aspect of the city's retailing sector. It was rejected not only because of the economics but because of the growing feelings of the people of Cardiff.

Mr. Michael: My hon. Friend and I were on the same side of that argument. That scheme involved the wholesale destruction of retailing, homes and communities, in direct contrast with the barrage scheme, which retains and benefits the existing communities as well as building new ones.

Mr. Rowlands: My hon. Friend tempts me to make a comparison. I suspect that I shall be able to show certain similarities in philosophy for that grandiose scheme and for the grandiose scheme of the Cardiff bay barrage development.

Since our last debate, I have taken the opportunity to revisit Cardiff bay. I express my gratitude to the chairman of the development corporation for his kindness and patience in explaining the nature and character of the vision of the development corporation and of some people in Cardiff. I fear that when he has heard my remarks he might feel that I have not drawn the conclusions that he would have wished from my visit, but, nevertheless, I understand the infectious enthusiasm that grows when a grand, visionary scheme is presented. It is natural and instinctive to think that big is best. The same spirit was behind the original Cardiff central area proposals. I can remember the planners, like the chairman of the development corporation, saying how it was bound to be a winner and asking how anyone could dare suggest that such a grand visionary scheme could have flaws or was not the way for the city to evolve.

The same infectious enthusiasm has been expressed for the grand design of the barrage. I do not denigrate that. I understand and appreciate it, but we must not suspend our faculties. I did not do so when I was the Member for Cardiff, North and was placed under such pressure. My hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) will know that I was placed under pressure to be persuaded of the grand vision. I did not buy it then and I do not buy it for the Cardiff bay development. We should not suspend our critical judgment on the public expenditure consequences.

Mr. Michael: I appreciate the serious point that my hon. Friend is making. One should not be taken in by grandiose plans. Does he agree, however, that the development scheme for the centre of Cardiff which was carried through to fruition after the collapse to which he referred was imaginative, important and positive in terms of the development of Cardiff? Will he accept that we must compare the critical examination that we brought to bear on that scheme, when I was chairman of the planning committee, with the way in which many of us have approached this scheme—not uncritically, but critically and positively?

Mr. Rowlands: I am convinced that my hon. Friend is right that the scheme that evolved as a result of our turning our backs on the Ravenseft and Hook road schemes was sensible, imaginative and made Cardiff city centre such a pleasure to shop in, walk around and to listen to music in. Interestingly, what was decided evolved from existing development rather than from a large scheme being imposed.

Following my visit to Cardiff bay, I am offering my untutored impressions of the scheme. My hon. Friend the Member for Rhondda (Mr. Rogers) said how much sensible development has been going on, and no doubt will go on, in this derelict area, with or without the barrage. The most striking impression of my visit to the site was the enormous amount of development that is happening irrespective of whether the barrage is to be developed. The Pengam site has been developed and there is housing development. I was told by the chairman and others that the developers were not selling the existing scheme on the promise of this Bill and that the development would proceed irrespective of the barrage. What will the barrage add to that?

Mr. Grist: I am sure that the hon. Gentleman was told just that. Naturally, anyone trying to sell the area and the development would stress that aspect. But does not the hon. Gentleman agree that everyone believes that the barrage will come and has taken that into consideration in investing in the area?

Mr. Rowlands: That is an interesting point. In that case, some people may be disappointed. They should not be making assumptions about what the House will decide. Remarks to the effect that we have spent too long debating

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these issues show impatience with democracy, but patience is a vital quality of parliamentary democracy. If investors have made investments on that basis, they may well be disappointed. Who knows? As far as I know, however, the development corporation has not said, "Come and invest here because there will be a barrage." That is crucial. Even without the barrage, there has rightly been a large amount of exciting development.

Mr. Rogers: Does my hon. Friend agree that the hon. Member for Cardiff, Central (Mr. Grist) has grounds for his optimism that the Bill will be delivered eventually? After all, huge sums have been spent on promoting it—on inviting hon. Members to functions and asking them to come to Cardiff at public expense to see what is what. If the promoters do not get the Bill, they will have egg on their face. My hon. Friend should take account of the optimism of the hon. Member for Cardiff, Central, who is an ex-Minister once responsible for the Bill. Clearly, he knows something that we do not.

Mr. Rowlands: Who knows? We are crystal ball gazing. My hon. Friend has made a valid point, but I reiterate that a great deal of development has been going on and will continue to go on whether the barrage is built or not.

What is the extra ingredient that the barrage will bring? I can only give my own impression. It will accelerate interest and development in the area. It will generate hype around the sale of the land in the area for high-class commercial and residential development. A curious feature of the present scheme and of all the 1980s property boom schemes—including the development of London docklands—is that they require a huge dose of inflation. They depend on an inflationary boost being given to land prices, rents and commercial developments. It is most odd —indeed, it is nonsense—that the Government should preach that inflation is the greatest evil in the land while in Cardiff bay and London docklands huge inflationary pressure is placed on property prices and land values. I heard with bated breath how office costs in Mount Stuart square had risen from £2 to £12 per sq. ft.—as if that was a marvellous achievement. I suppose that some may regard increased land values and the rest of it as an achievement. But in Merthyr, wage freezes and cuts in manufacturing costs are what is preached, whereas down in Cardiff bay developers and companies are expected to pay another £10 per sq. ft. for the good of the Cardiff development scheme.

The 1980s were characterised by the nonsensical proposition that what is required is a property-led boom involving a degree of inflation way above retail price inflation. The hon. Member for Cardiff, Central shakes his head. I do not believe that, with a 1 or 2 per cent. inflation rate, any of the projects discussed in the report would survive for one minute. Behind almost every one of the schemes has been the assumption that—especially if one pours in large sums of public money—land prices, rents and the value of commercial developments will be lifted and that banks will therefore be attracted to the area to help people to borrow against assets inflated by that public investment. That is a curious feature of the 1980s and, thank God, I think that it is coming to an end. The rest of us, and the rest of the economy, have paid the price. For those of us in Merthyr and elsewhere there has been a trickle-down effect of property booms—whether in Cardiff, in London docklands or in the south-east: jobs have been lost, manufacturing opportunities destroyed and investment cut and we have been charged punitive interest rates. That has been the effect of an overcharged property boom. The Cardiff barrage proposal is a late—I think, too late—example of that.

Mr. Grist: Surely the hon. Gentleman must accept that rising rents are a reflection of increased prosperity. After all, people have to be prepared to pay them. A firm does not pay increased rents just for the fun of it. It pays them because it recognises that there is enough business in an area to make being there worth its while. Rents are higher in Oxford street than in the outer Orkneys because there are more sales to be had. That is obvious.

Mr. Rowlands: Did not the Government conclude, after their experience of running such a boom in 1986-87, that it was a complete economic disaster? The hon. Gentleman has described exactly what went on in the south-east and other parts of so-called prosperous Britain. People were paying £200,000 for houses worth £100,000. They were taking out 100 per cent. mortgages. That is the very market that Ministers have been trying to crush since the 1987 election. The notion is that we must have a property-led boom with large inflation for the Cardiff bay and docklands development schemes to survive and flourish. The rest of the nation has paid the price for such economic nonsense and I do not see why we should endorse it by supporting the Bill.

Mr. Rogers: My hon. Friend has made an important point. I do not understand why the hon. Member for Cardiff, Central (Mr. Grist) does not realise that the people who suffer are those who pay and that the only people who reap the benefit of high rents are the landlords —the corporation, Associated British Ports and all the private interests. I see that the Minister is scoffing. Perhaps he can tell us who else benefits from high rents.

Mr. Rowlands: My hon. Friend makes a powerful and valid point.

Let me take the hon. Member for Cardiff, Central on further. He argued that there was a market which made it worth people's while to pay £12 per sq ft in Mount Stuart square when three or four years ago they were paying only £2. He said that that was a sign of increased prosperity. If that is so, why does not the private sector pay? Why should the public sector make a huge contribution to inflating land values, prices and rents in docklands? The Minister is an arch Thatcherite and, until the hon. Member for Cardiff, Central was sacked, I thought that he was, too. [HON. MEMBERS: "A Heseltini."] Oh, a Heseltini. In any case, he seemed dryish in character. But perhaps he is not. If the Cardiff bay barrage scheme is such a good scheme, and if we believe in the market, why should not it go ahead in the private sector? Why does not the development justify itself, rather than the promoters expecting the investment of large sums of public money to make it work? The basic test of such a scheme must be the degree to which it can sustain private sector investment.

Mr. Grist: If the hon. Gentleman wants to play that card heavily, I presume that he will not want urban aid or urban investment which relies on the leverage of public money coming in to bring in private money after it.

Mr. Rowlands: I cannot attract this kind of private investment into Merthyr and Rhymney. The hon. Member for Cardiff, Central made an aside about the nature of our society, but land in Merthyr and Rhymney is not attractive enough to warrant such investment. It may have been attractive enough 150 years ago when we had the coal that provided the resources which created work for the Cardiff docklands in the first place. However, we cannot attract such investment in 1990.

Of course we need urban aid, but we do not need it to create inflation in our society. Urban grants or urban aid should not boost land prices or inflate house values in my area because that would price the very people that we are trying to support out of the market.

My hon. Friend the Member for Cardiff, South and Penarth claims that the development will benefit everyone in that part of the world. However, I notice that 25 per cent. of the residential development will be social or low-cost housing and I accept that that percentage is slightly more than tokenism. However, the rest of the development is for the market and we know what the market means in terms of marina-style residential developments.

Mr. Michael: I am grateful that my hon. Friend has referred to that part of the development as being more than tokenism. The debate on the 25 per cent. of the development for social housing for rent, to which my hon. Friend referred, has been an important factor in the discussions involving people in the existing communities. Just as we want to see developments in Wales and just as my hon. Friend wants to see developments in Merthyr and in the other valley communities, we in south Cardiff—which has suffered like the valley communities—have a right to want jobs and the right environment for the future of our people. Are we on the same side of the argument in wanting to see public investment produce good returns?

Mr. Rowlands: We must ask how much that will cost, how it should be financed and what kind of scheme we are talking about. I am sorry that I am now treading on the patch of my hon. Friend the Member for Cardiff, South and Penarth, although he is inviting me to do that more and more. I have, to use a nautical term, been trying to steer a middle course. However, the barrage bay concept is not just to develop good honest south Cardiff. The intention is to transport a London docklands-style yuppie development into Cardiff in an attempt to make the city greater than Bristol. We expect rather more for our city than what has been proposed around the marina-style development.

The development cannot be compared with low-cost housing in Merthyr. Having fought his battles, if my hon. Friend has managed to come out with only 25 per cent. of the development for social housing for rent in comparison to the total amount of public expenditure investment, he has not won.

Mr. Michael: My hon. Friend has been comparing the development with London docklands. The big difference in Cardiff has been the co-operation involving the development corporation in Wales in comparison to what has happened in London and elsewhere. Local councillors like Peter Perkins, the local council member in Grangetown, who is the deputy leader of the county council, and other local authority members have been supporting the scheme after examining it critically to discover what it will do to present communities as well as to the future of Cardiff. Labour local authority members and others have given the scheme a critical and careful appraisal and that has led them to support it.

Mr. Rowlands: I bow to my hon. Friend's knowledge of the way in which the local politics of the scheme have been unfolding. I have no right to enter that argument. However, those of us who represent Welsh constituencies have a right to claim that developments of this kind have wider implications. Inevitably, we are drawn into arguments about priorities.

The essential character of the scheme and particularly that character of the scheme that will be "barrage dependent", to borrow a phrase from a Welsh Office letter, will not necessarily be for the average working folk—and I put it no higher than that. I do not believe that the amount of public expenditure is justified.

Mr. Flynn: Does my hon. Friend recognise that there are already huge areas of housing around the bay area including Channel view, Ferry road, Avondale crescent and the Hamadryad? There is already a huge amount of housing in place and that is far from being yuppie housing. All that housing will benefit enormously from the improvements that the barrage development can bring.

Mr. Rowlands: There has been a great deal of development around the bay without the barrage.

I want now to consider the Bill's public expenditure consequences. The Minister came to the Dispatch Box and rattled through his speech. However, we expected him to consider the public expenditure consequences. Indeed, he wrote me a four or five page letter setting out those consequences following our last debate on the matter.

Mr. Nicholas Bennett: I am sorry if the hon. Gentleman expected me to consider the public expenditure consequences today. On 19 December 1989 and 17 October 1990 the former Minister, my hon. Friend the Member for Cardiff, Central (Mr. Grist), dealt with the matter. I sent the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) a nine-page letter on the subject on 13 December, but he did not reply. I assume that he was happy with it.

Mr. Rowlands: I was waiting for the opportunity to cross-examine the Minister when he presented the figures publicly. The Minister took the trouble to write to me because he thought that it would be helpful to have a detailed explanation and clarification following our earlier exchanges.

Mr. Rogers: Surely my hon. Friend should point out to the Minister that the locus of the Welsh Office in the argument is the public expenditure aspect. It is not the Minister's function to advocate a particular scheme, because this is a private Bill. The Minister's and the Government's input into this kind of legislation and discussion should involve the implications for public expenditure.

Mr. Rowlands: That is so. The Minister should have presented the public expenditure implications of the Bill that he has supported in this House.

Mr. Nicholas Bennett: I thought that the hon. Gentleman wanted a debate on the Bill's principles. The

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letter that I sent him on 13 December contains nothing new from that which my hon. Friend the Member for Cardiff, Central had advocated previously.

Mr. Rowlands: He felt it necessary to place the expenditure implications on record. I would have been happy to curtail my speech if the Minister had set the matter out clearly.

Let us look at what was contained in the letter of 13 December. The Minister confirms that the cost related to the Bill started out at about £84 million. He later confirms that figures have risen substantially. The key part related to the proportions of public and private expenditure. He said in the letter that of the £547 million of barrage-dependent and public expenditure, £335 million was estimated to be public expenditure. That is more than three fifths of the total cost of the scheme.

Mr. Michael: Will my hon. Friend give way?

Mr. Rowlands: Not at the moment.

Mr. Michael: I thought that my hon. Friend might not give way.

Mr. Rowlands: I shall present the case and then readily give way to my hon. Friend.

As I have said, £335 million of the £547 million for the barrage and associated works which are described in the letter and appendices is assumed to be public expenditure. The letter states:

"The assumption in the January 1990 Update, which we would certainly support, is that there will be a greater degree of co-operation between the private sector and the Corporation".

As a result, the Minister says that public expenditure will be £335 million. Will he assure the House that that proportion is correct, and that in six months we will not find a higher level of public expenditure? A huge number of assumptions are made about the proportions of public and private expenditure. The assumption of £335 million is based upon an increased contribution from the private sector. Will the Minister assure the House that that is the true ratio of public and private investment in the scheme?

Mr. Nicholas Bennett: On a scheme of this size and duration, no Minister could give absolute assurances. The hon. Gentleman fails to understand that the figures of £547 million and £335 million do not take into account the consultants' estimates. We are talking about total private investment of more than £1,500 million, and that includes the cost of all the other developments that will take place. The Bill mentions £335 million of public expenditure which will generate about £7 of private investment for every £1 of public expenditure.

Mr. Rowlands: We are talking about what the Minister describes in his letter, which states:

"In summary, therefore, the most important and up to date figures at a comparable price base . . .

Cost of constructing the barrage: £125·55 million

Total cost of barrage strategy: £547·29 million

Total estimated public sector cost: £335 million".

That is what we are debating, and it is the basis on which the Minister reveals the ratio of public-to-private expenditure. Is the £335 million as a proportion of the £547 million an assumption or an assurance?

Mr. Nicholas Bennett: The hon. Gentleman does not seem to understand what I said. I cannot give any assurance because I do not know how inflation and changes in the scheme might affect the figures in future. Over time there could be changes. The £547 million covers the barrage, the infrastructure costs, improved access, including the link road, and environmental improvements in the scheme. It does not include any private expenditure on housing and commercial developments. The scheme could have £1·6 billion of private investment. That is £7 of private investment for every £1 of public expenditure. The hon. Gentleman does not seem to understand that.

Mr. Rowlands: I understand it too well, and the Minister is trying to move to a wider point. I am asking about his letter, which plainly states that barrage-dependent costs for maximum development potential are £547 million, of which £335 million will come from the public sector. The letter states that the assumption in the January 1990 update is that there will be more private sector involvement in this barrage-related development scheme. It states:

"The assumption in the January 1990 Update, which we would certainly support, is that there will be a greater degree of co-operation between the private sector and the Corporation in bringing forward developments within the overall barrage strategy. This will result in greater private sector contribution towards investment in infrastructure and reclamation works . . . water features, landscaping and, possibly, car parking and light railway facilities. Clearly, therefore, this will have a beneficial effect on the public sector input and, as I have indicated during our exchanges"—

that is interesting because those last words betray the fact that the letter was written by the hon. Member for Cardiff, Central, because the only exchanges I have ever had on this matter have been with the hon. Gentleman. The letter continues:

"it is estimated that the public sector will meet £335 million (in mid-1989-90 prices) of the £547 million total cost".

I narrow my question and repeat it to the Minister. In the terms of his own letter, in which he states

"the public sector will meet £335 million (in mid-1989-90 prices) of the £547 million total cost . . . with the balance . . . from private investment",

will he now give the House something more than an assumption? Will he give us that assurance? At least we now know that, according to the Government, three fifths of the total cost of the scheme at the moment is to be met by the public as opposed to the private sector.

Mr. Alan W. Williams: Will my hon. Friend give way?

Mr. Rowlands: No, I shall not give way because I am asking the Minister whether he will give us the assurance that that is the proportion of public to private sector involvement, as he described it in his letter.

Mr. Nicholas Bennett: I shall give the hon. Gentleman this assurance. I am convinced that there are adequate safeguards to control public expenditure on the scheme.

Mr. Alan W. Williams *rose*——

Mr. Michael *rose*——

Mr. Rowlands: I shall give way to my hon. Friend the Member for Carmarthen (Mr. Williams).

Mr. Alan W. Williams: My interpretation of the Minister's evasiveness on this matter is that he cannot give an assurance. Does my hon. Friend agree that there is a danger that that £547 million will escalate and that the

costs involved could be £600 million or £700 million, most of which will come from the public purse? Given the recession that we are now in—and if we have another Conservative Government, we shall never get out of it—the £1,500 million that the Minister projected will never come and the amount involved will be more like £1,000 million. We shall then be left with a multiplier not of 7:1 but of 2:1, if that.

Mr. Rowlands: What my hon. Friend has just said is absolutely valid.

Mr. Michael: I am keen that we should all operate on the same figures. That is why I sought to intervene a moment ago. Although I do not want to interrupt my hon. Friend's interesting conversation with the Minister, I want to ensure that we are all making the same assumptions——

Mr. Rowlands: I was referring to the Minister's letter.

Mr. Michael: Yes, I am referring to the Minister's letter also. My hon. Friend knows that I have been given a copy. I am sure that my hon. Friend will accept that the £547 million includes the cost of the primary distributor road —the PDR—and the costs of a substantial number of other schemes. I questioned that at an early stage, because it seemed that all sorts of things, including the PDR, should not be included as barrage-related costs. We in south Cardiff have been waiting for relief for communities, such as Grangetown and Butetown, and for the building of the PDR. It has nothing to do with the building of the barrage, but I understand that it has to be included for legal reasons. Does my hon. Friend accept that the figure relating to the construction of the barrage, which is what we should really be concerned about, is £125 million of the figure to which he referred?

Mr. Rowlands: Yes, of course I accept my hon. Friend's last point because that is the direct cost of the Bill. However, the Minister's letter stated that barrage-dependent expenditure to maximise the full potential is £547 million. I am quoting the Minister's figures—not mine or my hon. Friend's. The Minister has said that £335 million of that amount is public expenditure. I am simply seeking a modest assurance from the Minister that at least that proportion, which I think is horrific, will stand. I have not received that assurance and I hope that the Minister is satisfied with the control mechanisms for public expenditure.

I should like to remind the House——

Mr. Jimmy Hood (Clydesdale) *rose*——

Mr. Rowlands: I know that my hon. Friend served on the Private Bill Committee, but I should like to develop my point a little and then I shall happily give way to him.

We are told in the same letter that there are control mechanisms in place in the Welsh Office to ensure that costs are well under control. Let us consider first the cost that my hon. Friend the Member for Cardiff, South and Penarth has mentioned—the cost of the Bill itself. It started at £84 million—that is on the face of the Bill. At the same 1988 prices, the cost then rose to £113 million. Now, at 1989-90 prices, the cost is £125 million. According to the letter, the outturn cost is £147 million. I doubt whether the control mechanisms on which we are supposed to depend are well illustrated by that increase in expenditure.

Mr. Hood: I chaired one sitting of the Committee examining the Bill, when we interviewed three Treasury officials. We asked about control, but the officials could not give us assurances. We already had high inflation then, and now we also have a deep recession. I asked whether the £547 million could rise to £600 million or £800 million, and they could not answer. That may help the point that my hon. Friend is making.

Mr. Rowlands: That is helpful. For all the words in the Minister's letter, the reality is that the control mechanisms are not effective.

I have a suggestion to put to the Minister which I hope that, with his great Thatcherite tradition, he will accept. Why do we not cap the public expenditure that will result from the Bill? That should appeal to the hon. Gentleman, who goes around capping everybody else. We could put into the Bill rigid public expenditure-capped limits on every item of expenditure. We could follow the channel tunnel principle, which he supports, so that, instead of having a public expenditure element in the Bill, the £125 million could be raised in the private market, as funds for the channel tunnel were. The Channel Tunnel Act 1987 has a section that forbids the use of public funds in the building of that tunnel. I have no doubt that the Minister supported, in his fervent Thatcherite way, that fundamental principle. If he believes in control mechanisms and the rest, will he support amendments to the Bill to introduce such rigid caps, so that at least the proportion of public expenditure to the private expenditure does not get out of hand, as it is doing now? That constructive suggestion should fall on welcoming ears now that the hon. Gentleman has been elevated from the Back Benches to the Front Bench.

Mr. Rogers: Many of us have not had the privilege of seeing the Minister's letter. Will my hon. Friend tell me whether there is any assessment of returns on the expenditure? The Minister has, quite rightly, said that, given the proportion of private expenditure—I presume that every penny of that expenditure is costed in for a return out—the public money going in will have little return. Does the Minister mention any return, or does he expect the development corporation to repay public expenditure when it makes its huge profit?

Mr. Rowlands: There are rates of return on investment to be found in the various documents.

My hon. Friend the Member for Cardiff, South and Penarth said that he did not think that the Butetown link should be included. Whether it should be or not, I have one point to make about it. The 1·5 miles of the Butetown link is to cost an estimated £95·5 million. I picked up the Welsh Office Government expenditure plan. In table 7.4 on roads and transport, figures are given for the new construction programme, the main trunk road programme and various other roads. Except for the Briton Ferry-Earlswood section, no other road has a cost per mile higher than the 1·5 miles of the Butetown link. My hon. Friend has done his constituents proud in achieving this fantastic commitment. I do not engage in the politics of envy when I suggest gently that 1·5 miles for £95·5 million is a cost that should raise an eyebrow or two. The equivalent of the Butetown link for developmental purposes in my constituency is a programme that comes within the trunk road programme. It is called the Pentrebach-Mountain Hare route, phase 2. I thought that

[Mr. Rowlands]

the cost of that programme was high, but I have learnt since how modest it was. It is clear that I shall have to increase my demands on Secretaries of State. The cost of the programme was a mere £4·4 million a mile.

We heard at long last great announcements from the Dispatch Box about the delayed Llanbradach scheme. Will the cost of that scheme be £60 million a mile? As I have said, the cost of the Bute link is £63 million a mile. It is said that it is part of a scheme, but it has cost a great deal of money. Even the Under-Secretary of State might raise an eyebrow if he were asked to think about £63 million a mile and the needs of Pembroke. There is other road expenditure that has to be taken into account. The cost per mile of the A55 has not reached £63 million. The Briton Ferry-Earlswood links with the M4 would not cost so much per mile.

Has there been a cost-benefit analysis of the one-and-a-half miles of the Butetown link? Has there been a 17 per cent. or 20 per cent. return? Bearing in mind the major links with the major arteries that we are rightly building in the Principality, it is extraordinary that the cost of a 1·5 mile link should be so enormous.

As I have said, I am not engaging in the politics of envy. It is only right, however, to cross-examine at considerable length when we come to the public expenditure implications of projects such as the Butetown link.

I am a great fan of the marvellous comedy "Only Fools and Horses". In the penultimate episode, Uncle Albert went missing. Rodney, the nephew, and Del Boy find Uncle Albert down Tobacco road, where he had been brought up. Tears were streaming down his eyes. That was his reaction when he saw the London dockland of today, the world from which he had come. He was understandably nostalgic, but it was a world that had to go. The nephew understood Uncle Albert's feelings. He understood the thoughts that were passing through his mind. As a member of the young generation, he was turning his back on the yuppie land of marinas and the dockland development that Uncle Albert had seen. The person who admired that development and considered it paradise was Del Boy. He stood before the development in amazement and, in effect, said, "This is Paradise. If only I could get my hands on one of the apartments and hang around for a couple of years, some Arabs would buy it from me at a greatly inflated price."

There are not too many schemes such as that which is to be seen in the dockland area of London, but I fear that the Cardiff bay barrage yuppie residential schemes are part of Del Boy development and Del Boy society. Such activity might have been a feature of society in the 1980s, but I do not believe that it will be part of the 1990s. That is why I shall vote against the further consideration of the Bill.

9.18 pm

Mr. Paul Flynn (Newport, West): I must tell my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) that the Uncle Alberts and the other inhabitants of Tobacco road are very much in Grangetown and the docks area generally. They will not be thrown out.

Perhaps I should declare an interest as a relative of mine, the widow of my late brother, has recently bought a house in Channel View road at a cost of rather less than £40,000. She has not moved into a new development. I am talking of council houses that were built in the 1930s. There is much older housing as well, which was built in the previous century. That is to be found in Ferry road. The housing in Avondale road was built in the late 1930s and early 1940s. Housing in the docks area, near the Hamadrayad, was built in the previous century. Some of the most recently built housing there is that which was provided to replace temporarily—in fact, most of the houses have become permanent—dwellings in the Madras street and Thomas street areas of Grangetown. Those could by no stretch of the imagination be described as yuppie areas; the reverse, indeed, is the case. It is the established community, not the yuppies, that will benefit hugely from improvement of the environment.

The great curse of the coast of south Wales was described by Tennyson in the words

"Break, break, break.
On thy cold gray stones, O Sea!".

He was describing the haven under the hill—the haven was Penarth—and the tall ships that went by. Tennyson stayed in the Hanbury arms, which is in my constituency, in the last century. The problem then was the same as the problem now. This is not a beautiful area. For 18 hours a day the view is not of a reflecting sea or of beautiful waves; it is of a mudscape. Sadly, since Tennyson's time even the mudscape has deteriorated greatly. The mud is now heavily polluted.

My hon. Friend the Member for Pontypridd (Dr. Howells) is absolutely right when he refers to the disgraceful way in which we have fouled our rivers over the past 150 years. Restoring those rivers, preferably to the state that they were in 200 years ago, must be a major cause. It is conceivable. I hope that I am not being too autobiographical when I say that, as children, we used to swim in the Taff, near the Penarth road bridge. I remember vividly the feeder, which was exposed. There are now buildings there. During the war, boys would dive for coins. The river was in a terrible state at that time, but it is now becoming a fish habitat once more.

There has been reference—how serious, I am not sure—to fish passes. This issue has arisen only very recently. I understand that Mr. Creswell, the National Rivers Authority's spokesman on these matters, gave evidence about fish passes. There was no challenge at the time, but another Bill will provide an opportunity for that. That Bill, which will involve my constituency, casts its shadow before it.

I understand that in the Usk, which has been rich in fish life for at least 10,000 years—there may be objection to that period—is still rich in fish life. The number of fish caught in the estuary of the Usk, which is in my constituency, is eight times as great as the number caught in the 100-mile stretch that runs through the countryside. There is a very strong vested interest. The most remarkable thing about the fish is that they have been so robust over the years. Some of them have managed to swim through the fouled waters of the lower Usk, whereas, for many years, they have not succeeded in the Taff or in the Ely. It is gratifying to see such an improvement in water quality.

A great deal has emerged from this debate. It has been much better tempered than many other debates. The question of water quality is, of course, paramount. I am told that the worst that we can expect is water quality such as is to be found in Roath park lake and Bute east dock,

which supports fish life and, at present, cormorant life. Although there is pollution there, it is not such that people find it disagreeable. At present, the great problem about the Cardiff bay area arises from mud held in suspension, which gives the water an ugly brown colour. There may be other reasons as well, but the principal one is mud in suspension.

While on a boat trip with my hon. Friend the Member for Caerphilly (Mr. Davies), I was fascinated to notice how nature had defied the experts. In the area, at least 20 cormorants have managed to survive, even though the water is not transparent at all. According to the experts, those birds should not be able to survive. Cormorants need to be able to see through water in order to fish. But nature tends—as the cormorants and other birds are—to be far more robust and better at looking after itself than many people suggest. There are many other examples throughout south Wales of birds finding other habitats.

There has been no mention of the measures which will be taken under the Bill to establish an alternative habitat. There is an exciting proposal in the area of Wentloog, some of which is close to my constituency. Such measures have been taken elsewhere. That development should be well worth while. Great colonies of birds have moved from Collister Pill, an area at Magor in the Monmouth constituency. Those areas were drained for agricultural reasons and the habitat of tens of thousands of birds was destroyed. The birds moved to a wholly artificial, man-made habitat at the Uskmouth power station. They settled there and feed on the mudflats. They breed on the Uskmouth power station land. They have adapted successfully.

There is much pessimism about the Bill. So many people fail to see that it is a magnificaent concept. We should feel excited about the scale of it and what it will do. It will make an enormous difference. Throughout the world—for example, in Australia and in Baltimore, in America—hugely successful schemes have been undertaken to allow people to enjoy living near areas of reflective water. The human species likes to live in such pleasant surroundings.

Mr. Rogers: Does my hon. Friend argue that we should spend hundreds of millions of pounds of public money to create reflective water?

Mr. Flynn: I am saying that the Bill has many advantages. My hon. Friend the Member for Carmarthen (Mr. Williams) suggested that all the money was intended to create jobs; he calculated the cost of each job created. But the Bill has so many advantages that one cannnot pin down the value of the Bill to one.

There has been a generous spirit in the debate tonight. It is significant that no one accused anyone of having a beggar-my-neighbour policy, but certain hon. Members adopted a defensive attitude. As my hon. Friend the Member for Rhondda (Mr. Rogers) said, we should all realise that prosperity as well as dereliction is contagious. We live in a single economy in south Wales. What is good for Cardiff will be good for Newport and the valleys. We welcome the £800 million investment in the valleys even though we may have been doubtful about some of it and the amount. We should like to see a great deal more investment spread to the valleys. They will benefit from the Bill.

Furthermore, Cardiff is our capital city. I have a special pride in it, in spite of being wickedly provoked on Saturday night when I attended the dinner of the Welsh Baseball Union. Welsh baseball is a splendid sport played only in the favoured areas of Cardiff, Newport and Liverpool. Welsh baseball is different from any other type of baseball. I was introduced to the assembled guests as, not the Member for Newport, West but the Member for Cardiff, Far East. In spite of that, I feel a loyalty to the Bill.

I see the proposed barrage as a most exciting development in south Wales. Of course, my hon. Friend the Member for Cardiff, West (Mr. Morgan) and others have rightly argued about the Bill and questioned it. The important matters raised, especially that of ground water and the history of the area, should be examined in great detail. If it is discovered that the worst fears of my hon. Friend the Member for Cardiff, West will be realised—we all hope that they will not be—the Bill and the entire project will be friendless in the House. I hope that that will not be the case.

Mr. Morgan *rose*——

Mr. Flynn: I shall take the hint.

I think that the right hon. Member for Woking (Mr. Onslow), who intervened on the subject of fish passes, was being unduly pessimistic. Salmon are strong, resilient fish. They have survived. They go through waterfalls and all kinds of pollution. The great problem is that salmon need water coming down the rivers. They need sufficient rainfall. Global warming and our warm summers will cause them more problems than getting through fish passes, which are established and work well.

We look forward to the day when the many objectors, both serious and less so, are answered and we can stroll together along the magnificent banks of Cardiff bay.

9.31 pm

Mr. Rhodri Morgan (Cardiff, West): I welcomed the words of my hon. Friend the Member for Newport, West (Mr. Flynn) when he said what a good-natured debate we have had this evening, throughout the entire three hours and especially on the Opposition side of the House, although there was one exception, when the hon. Member for Cardiff, Central (Mr. Grist) spoke. He rather surprised us all. He tried to exhibit mind-reading skills that we did not know he had. He was not trying to work out whether hon. Members such as myself disagreed with him, but our motives for doing so. I do not think that the House would function if we started to smear any hon. Member who disagreed with us by saying that they had heard voices. That was completely unnecessary. We all do our work in our own way and look after our constituents' interests. If the hon. Member for Cardiff, Central has a better way of looking after his constituents' interests than I have, no doubt the results will show after the next election. That is when the matter will be put to the test.

I can tell the hon. Member for Cardiff, Central how he would be right to say that I had heard voices and that that is why I am opposing the Bill. However, I did not hear voices in the sense that he meant. It was simply that I walked around my constituency in Pontcanna and met a pensioner, who told me that he had lived there all his life, he knew all the pensioners, and he knew that they did not want the barrage. However, that was not sufficient basis for deciding to oppose this measure.

[Mr. Rhodri Morgan]

The next stage in my decision to oppose the barrage came when I was called to meet Dr. Noake, who was paid for by Cardiff Bay development corporation, as a second-opinion consulting geologist engineer. He was educated and lives in south Wales, and is an experienced consulting geologist. I was asked to meet him because he had been working on the barrage proposals and their effect upon the drainage of the low-lying part of Cardiff west, Cardiff central and Cardiff south. He told me that in his opinion—he was paid for by the development company, but jointly chosen by it and the objectors, as it was thought to be the fairest way to operate—having studied the scheme, the geological contours and the way in which the water table operated, he thought that the low-lying areas of Cardiff would fail to drain in certain circumstances if the barrage were built and that that would have the obvious consequence of a rising water table.

A locally based, professional engineering geologist told me that there could be problems for draining the low-lying parts of my constituency and others, so again that made me take notice.

I then set to and I read the entire evidence submitted to the House of Lords and decided that as the Member of Parliament for Cardiff, West it was my responsibility to oppose the barrage because more low-lying residential areas are in my constituency than in that of the hon. Member for Cardiff, Central or that of my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael).

The hon. Member for Cardiff, Central seems to object to this process. He seems to think that because I did not oppose the barrage on the first day I heard about it, I sacrificed my right to oppose it at any subsequent stage. That is obvious nonsense. One has to accumulate the necessary facts to form an opinion in the best way that one can as a Member of Parliament. The hon. Gentleman also seems to think that because I was the industrial development officer for the county of South Glamorgan I must somehow have been aware of the barrage proposal and must have favoured it before I came to this House. He forgets that I ceased to be the industrial development officer for the county in 1980, more than six years before the Secretary of State for Wales thought up this proposal. So any connection between my previous employment and my right to oppose the barrage on behalf of my constituents is a complete mystery to me. I will have to write to him when this stage is over to find out what he meant by hearing voices and whether he considers that to be a proper parliamentary remark for one Cardiff Member to make about another.

Apart from that, the debate has been good natured on all sides and there has been a great deal of understanding. The fact that we may differ and that we have formed our views in different ways does not affect our ability to put them on record for the purpose of trying to persuade our colleagues to vote for or against the barrage.

We are being asked to consider the Bill as amended by the Select Committee, which did its work thoroughly and diligently. My hon. Friend the Member for Clydesdale (Mr. Hood) signed a minority report. There were 72 petitioners overall—one of the many parliamentary records set by the Bill. Many of the petitioners were not well off. They were not corporations and they could not call for expenses and first-class railway tickets to London, as we can and as companies can. Had they had to come to Parliament, they would have been put to considerable expense and might have prejudiced their jobs by taking time off. The Select Committee wisely accepted a request to hold sessions in Cardiff to let those petitioners appear, and it met for an entire week in South Glamorgan county hall. Something similar has happened only once before. We are grateful to the Select Committee for doing that and enabling many of my constituents to appear at minimum private expense.

What the Select Committee did was curious and highly innovative, and requires serious consideration. It approved the Bill but not the barrage. It said in effect, "We are not in a position to give the barrage the go-ahead. We accept largely the ground water case made by the professional engineering witnesses who appeard on behalf of the objectors." Those witnesses were Dr. John Miles, Professor Ken Rushton and Brian Connorton from Thames Water. By and large the Select Committee accepted the bulk of their objections to the work that has been done so far. In effect, the Select Committee said, "We are not willing to pass the barrage. We want to pass the buck on the final decision to the Secretary of State for Wales after more ground water studies have been carried out." Studies should be carried out over a full four seasons because measurements are being made of rainfall and its effects on the ground water table to try to get an impression of the process going on under the soil in Cardiff.

Most of the objectors in my constituency think that if the Committee was not ready to pass the barrage, it should not have approved the Bill. They wonder what the Committee meant by approving the Bill when it was not ready to approve the major works which the Bill would empower the corporation to do. I understand that that is why my hon. Friend the Member for Clydesdale signed the minority report; I am paraphrasing his views but he said that if the Committee was not ready to approve the barrage it should not send the Bill back to Parliament. My hon. Friend wanted the ground water studies to be completed so that the Bill would come back to Parliament to give the scheme the go-ahead only provided that the additional information warranted it.

Mr. Michael: Obviously my hon. Friend develops the chronology in accordance with his own views and his reading of the evidence. Does he accept that the decision of the majority of the Select Committee and the interpretation placed on it by experts and engineers, including the independent experts on whom I have depended, are reassuring and that the additional work which was to take place anyway was, as it were, the belt and braces in addition to the considerable safeguards in relation to ground water?

Mr. Morgan: If my hon. Friend thinks that that version of events is better than mine, perhaps I should read out Hydrotechnica's version, contained in the interim report that the company sprang on everyone in Cardiff—everyone of whom I am aware, at any rate—last Thursday. On page 2, we read:

"At the Commons Committee stage of the Bill, Proofs of Evidence were presented by Professor K. Rushton, Dr. J. Miles and Mr. B. Connorton, on behalf of the Petitioners, which were critical of the modelling work and which cast doubts on its reliability.

As a consequence of this, Hydrotechnica was instructed by Cardiff Bay Development Corporation in March 1990 to

examine the modelling work performed by WEL, and the Proofs of Evidence, and to give an opinion. Hydrotechnica reported one week later accepting the competence of the Petitioners' advisers to comment on the work, and agreeing in large measure with the comments made. Hydrotechnica did however state '. . . we believe from our concept of the system that these conclusions'"—

those of Wallace Evans—

"'are essentially correct . . .'

It became clear that the deficiencies identified in the modelling work needed to be addressed, and such action was undertaken by Cardiff Bay Development Corporation. The Bill passed the Committee stage, with the condition that Hydrotechnica should carry out further modelling over a 12 month period ending on 31 July 1991."

I do not want to engage in a barren argument about whether my version is superior to that of my hon. Friend the Member for Cardiff, South and Penarth. I rest on the Hydrotechnica version.

Mr. Michael *rose*——

Mr. Morgan: No, I will not give way; I think that three versions of the same event are quite enough, with only 20 minutes to go before the witching hour.

Mr. Rogers: Will my hon. Friend give way on this specific point?

Mr. Morgan: Yes, given my hon. Friend's professional knowledge of geology.

Mr. Rogers: This has nothing to do with my expertise as a geologist. I have long given up that profession; my point relates purely to common sense.

It appears that the Bill will have a minimal effect on houses in low-lying areas as a result of ground water. Does my hon. Friend agree that it would be much better to get rid of all such possibilities by allowing the models to cover at least four seasons? Is it not foolish to proceed with the Bill in its present form, given the present assumptions about ground water?

Mr. Morgan: Let me make it clear that the proposal is to compensate for the damage being done by remedial work. It is anticipated that at least 1,000 houses may be affected by the waterlogging of basements, for instance, and my constituents do not understand why they should put up with such botheration.

There is a wider and more important point at issue, however. We are now being asked to accept the Bill without the barrage, but to take the barrage on trust when the additional ground water studies have been completed on 31 July. That is a unique parliamentary device: it is rather like General Colin Powell's words to the United States press corps the other day, when they were looking at the laser print. He said. "Trust me; I have had to change the photographs a bit to stop the Iraqis from understanding where we get our information from."

How much trust can my constituents—who constitute a large proportion of the objectors—put in the House and the Secretary of State for Wales, given that, since 7 February, we have had a document signed by the Government Chief Whip telling all Ministers to be present tonight to vote the Bill through in the Lobby—and also to procure the presence of all parliamentary private secretaries? They are the unpaid members of the payroll voters who hope for promotion next year. The Welsh Office will, apparently, be acting quasi-judicially at the end of a planning inquiry, but we know that the Government have been whipping the Bill through on the quiet all the time.

Mr. Hood: As a Member of the Select Committee and as the individual who wrote the minority report, may I cast some light on my hon. Friend's comments about the Committee's views? The Committee unanimously accepted the evidence of Rushton and Miles. We would not have supported the Bill without the amendment backed by the majority which gave the final decision to the Secretary of State. Judging from the advice that we have been given by the Clerk, I do not believe that the Bill will proceed any further, whether or not the House supports it. There was gerrymandering. The Bill was not accepted because of the dangers. That was dishonest. Therefore, I cannot support it. I do not criticise the three other members of the Select Committee. They came to an honourable decision, but the advice we received and the evidence we heard led me to believe that the Bill would not be supported by the Secretary of State for Wales. We were advised that the Bill was flawed. That was the reason for the amendment. I hope that that will help my hon. Friend to develop his point.

Mr. Morgan: I am grateful to my hon. Friend. Perhaps the hon. Member for Cardiff, Central will say that he heard voices, too. If he did, they were the right ones. His words will be warmly welcomed by a large number of my constituents whose houses are low lying and near to the river.

Additional ground water studies began after the Select Committee disgorged the Bill on 14 May. The Cardiff Bay development corporation said that as most of the work had already been started it would be completed by March. Luckily, the Select Committee was able to put that straight. The corporation was firmly put in its place by the Committee. It was told that the work would begin on 1 August 1990 and would end on 31 July 1991. Over a full 12 month period that allows readings to be taken from the boreholes of the rise and fall of the tide, heavy rainfall and drought. A large number of boreholes have been drilled in the three constituencies affected; furthermore, a few have been drilled in the Cardiff, North constituency.

Hydrotechnica's interim report was published last Thursday. The Committee appointed Dr. John Miles to give a second opinion and to act on the petitioner's behalf. It was felt that that would reassure them that the Committee had done its work thoroughly and that it would not allow the petitioners to be railroaded by Hydrotechnica or any other consultants. Consultants are pulled both ways—in one way by their professional reputations, which they want to protect, and in the other way by the fees that they receive from their clients and by their customer-client relationship.

In addition to the protection afforded by Hydrotechnica's good name as professional experts in hydrogeology and computerised modelling of ground water, Dr. John Miles was called in to give a second opinion. When he was asked whether he had read the interim report and had been given a chance to comment upon it, he said that he had not—that he had not been told that it was to be published and that therefore he had been given no chance to comment upon it. The report was therefore published for public relations purposes just

[Mr. Morgan]

before the debate by Cardiff Bay development corporation. It told Hydrotechnica that it needed a report before this debate but Hydrotechnica was told not to show it to Dr. Miles in case he said that he wanted certain alterations to be made to it, or that he disagreed with it. The interim report was not shown to that second opinion, Dr. Miles, who had been appointed by the Select Committee to look after the interests of the ground water objectors.

That is no way to deal with the Select Committee's views on the ground water objections to the Bill. That is a poor advertisement for the trust that my constituents, who have ground water objections to the Bill, can place in the way that the Cardiff Bay development corporation works. It does not seem to appreciate that the Select Committee wanted evidence from other geologists and engineers as well as its own evidence. The corporation should read a few texts on philosophical humility. It should have realised that when the Select Committee told it that it wanted the corporation to appoint consultants and to refer everything that its consultants proposed to a second opinion, it ought to have done so and then made use of that second opinion instead of ignoring it. It should not have tried to go behind his back just because a big debate was to take place in the House of Commons. It is similar to what happened when the Prime Minister was Chancellor of the Exchequer. He cut base rates by 0·5 per cent. on the last day of the Labour party conference and the last working day before the Conservative party conference. The right hon. Gentleman thought that that was a clever move, but it has rebounded because markets have lost faith.

I am concerned that the same process will occur again. My constituents who object to the Bill may ask, "What trust can we put in this elaborate structure that the Select Committee created to defend our interests? One need not worry about Hydrotechnica and the Cardiff Bay development corporation railroading you, because there is Dr. John Miles." The development corporation did not consult Dr. John Miles when it wanted to bring out an interim report.

Dr. John Miles, Professor Rushton and those of my constituents who object to the Bill will probably tomorrow —unless the cold weather holds it up—sink boreholes in certain parts of Cardiff to act as a double check. Professor Rushton is one of the world's great experts on computerised modelling of ground water behaviour. Boring holes is the only comeback they have against the development corporation's underhand behaviour. I do not criticise Hydrotechnica—the firm has an immense reputation—but all consultants are pulled by the attraction of fees while obviously having to consider their professional reputation.

Economic arguments have been made for the barrage. We heard a great deal about the promises of huge numbers of jobs in the Cardiff area. We even heard that the development may in some way skew up the pattern of development in south Wales because too many jobs may accrue in Cardiff and not enough in other areas. We have heard that the development may make Cardiff bigger than Bristol, double its size and make it an important European capital city of the 21st century.

The Cardiff Bay development corporation's record on job creation is abysmal. The corporation existed in prototype form from about February four years ago, so it is virtually the corporation's birthday. More than £100 million of public funds has been given to it and it has acquired many sites. During a period that included a considerable boom in industrial investment, by British standards, the development corporation has managed to contribute only a new Volvo garage to Cardiff's economic life.

That is a poor return for four years of effort. It is a taster of the incompetence and overweaning behaviour that will characterise the corporation's behaviour. It does not have to abide by the rules governing local authorities and because it has been a favoured child of the Government. Therefore, it is not able to bargain and to negotiate in the same way as people who live in the real world. It is neither in the private sector, because it is publicly funded, nor in the public sector, because it does not have democratic accountability. One tends to get the worst of both worlds.

Four years of effort have given rise to one imported car garage—just the sort of thing that will put Britain back on the right track to economic growth. If any hon. Member knows of a development to which the development corporation has managed to give birth, I should be pleased to amend my statement. My understanding is that Bay Track Volvo in Cardiff bay is the only project that the development corporation has managed to get together in four years.

We have not heard the Government's solution to the problem of the highly nutrient-rich water of the bay. My hon. Friends the Members for Newport, West and for Cardiff, South and Penarth said that the water quality of the bay will be as good as in Roath park lake, which is surrounded by some of the most attractive housing in Cardiff, and in Bute dock. However, it is far more nutrient-rich than Roath park lake and is a far shallower environment than Roath dock, which has steep sides. Large mats of algae will form, as they did last summer and the summer before last in the shallow feeder lakes into Roath park, which had to be removed in lorries. When mats of algae are allowed to decay they give off an anaerobic stench, and that will be a characteristic of the bay. It is accepted by the bay's promoters and their water consultants that mats of algae will form in the summer, when people will expect to be able to toddle around and enjoy Cardiff bay at its best. During the fine weather, unfortunately, the eutrophication and the low oxygen levels——

Mr. Michael *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put, That the Bill, as amended, be now considered:—

The House divided: Ayes 189, Noes 17.

Division No. 68] **[at 10 pm**

AYES

Alexander, Richard	Bennett, Nicholas *(Pembroke)*
Amess, David	Bevan, David Gilroy
Anderson, Donald	Blackburn, Dr John G.
Arbuthnot, James	Boswell, Tim
Arnold, Jacques *(Gravesham)*	Bottomley, Peter
Arnold, Sir Thomas	Bowis, John
Atkins, Robert	Boyes, Roland
Atkinson, David	Braine, Rt Hon Sir Bernard
Baker, Nicholas *(Dorset N)*	Brandon-Bravo, Martin
Bellingham, Henry	Brazier, Julian

Bright, Graham
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Buck, Sir Antony
Burns, Simon
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Chapman, Sydney
Chope, Christopher
Clark, Rt Hon Alan *(Plymouth)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cox, Tom
Crowther, Stan
Dalyell, Tam
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Fallon, Michael
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Foster, Derek
Fox, Sir Marcus
Fraser, John
Glyn, Dr Sir Alan
Golding, Mrs Llin
Goodlad, Alastair
Greenway, Harry *(Ealing N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Heseltine, Rt Hon Michael
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hughes, Roy *(Newport E)*
Hunt, David *(Wirral W)*
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lang, Rt Hon Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Meale, Alan
Mellor, Rt Hon David
Meyer, Sir Anthony
Michael, Alun
Moonie, Dr Lewis
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Portillo, Michael
Powell, Ray *(Ogmore)*
Powell, William *(Corby)*
Raffan, Keith
Redwood, John
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Robertson, George
Roe, Mrs Marion
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thorne, Neil
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaz, Keith
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Wareing, Robert N.
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Wiggin, Jerry
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Gwilym Jones, and
Mr. Paul Flynn.

NOES

Barnes, Harry *(Derbyshire NE)*
Corbyn, Jeremy
Cryer, Bob
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Fearn, Ronald
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Lamond, James
Lewis, Terry
Mahon, Mrs Alice
Rogers, Allan
Rowlands, Ted
Short, Clare
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Spearing, Nigel

Tellers for the Noes:
Mr. Alan W. Williams and
Mr. Rhodri Morgan.

Question accordingly agreed to.

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Bill to be further considered on Thursday 21 February.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Ministerial and other Pensions and Salaries Bill may be proceeded with, though opposed, until any hour.—*[Mr. Kirkhope.]*

Ministerial and Other Pensions and Salaries Bill

Considered in Committee.

10.14 pm

Clauses 1 and 2 ordered to stand part of the Bill.

Mr. Ray Powell (Ogmore): On a point of order, Sir Paul. It is difficult for us to hear what is going on with all the noise.

The First Deputy Chairman of Ways and Means (Sir Paul Dean): May I ask those hon. Members who are not staying for the Committee stage of the Bill to continue their conversations outside?

Clauses 3 to 5 ordered to stand part of the Bill.

Clause 6

Exchequer contributions to Parliamentary Contributory Pension Fund

Mr. Nigel Spearing (Newham, South): I beg to move amendment No. 1, in page 4, line 42, leave out from 'to' to 'and' in line 43 and insert

'affirmative Resolution of the House of Commons'.

The amendment converts the all-important proposed statutory instrument in clause 6 from a negative resolution—that is, from an order which is not usually debated unless it is prayed against—to an affirmative resolution, which is debatable.

I thank the Leader of the House for including clause 6 in the Bill. With your permission, Sir Paul, I hope to speak to the structure of the clause and the nature of the order when dealing with the amendment and to turn briefly to some other aspect of this matter in the clause stand part debate. There have been negotiations or talks between the trustees of the House of Commons pension fund, but I stand in some representative capacity in my party and I wish to try to convey to the Leader of the House the strength of opinion on this matter across all parties. My right hon. Friend the Member for Salford, East (Mr. Orme) may catch your eye on Third Reading, Sir Paul, to deal with that matter.

If I speak with some feeling it is because one of the first constituency cases with which I dealt when I became a Member of Parliament over 20 years ago concerned the family of a former hon. Member. He was well known and well liked. Alas, he died unexpectedly in his late forties or early fifties. In his last illness, he realised that he would live only two or three weeks beyond the 10-year limit. When he realised that, he was thankful that the House of Commons pension fund would look after his wife and two children. Alas, however, a visit to the Fees Office a little later revealed that, although the former Member had completed 10 years and so many weeks' service, he had not taken into account the fact that the time during which the House had been prorogued would be deducted from his service. That hon. Gentleman and his family failed to qualify.

Things have improved since then in the House of Commons pension fund, which looks after such cases, but those hon. Members who retired before 1964 find that, to some extent, that state of affairs still persists. We are all agreed that the benefits and the terms of the fund are not yet geared up to what hon. Members might expect if they had not been Members of this House and—more importantly—to what their families, dependants and widows might have expected if the hon. Member had not been a Member.

Therefore, although the increased benefits that we expect in another order that the Leader of the House is to lay at some stage are not part of this Bill, some aspects of the legislation give cause for concern. My concern is with the nature of the order. Clearly, we are in an unusual position, which is partly the nature of Parliament, but it is also constitutional. As employees of the public, we pay a proportion of our income—whether fixed or variable—into the fund. In a sense, the House itself or the public—it is certainly not the Government—also pay a certain amount as the employer. That mechanism is well known and I need not go into it now, except to say that there is dispute about the amount.

My point about the statutory instrument that is proposed in the clause and which must have the approval of the Treasury before it is laid by the Leader of the House is that the provisions place the Treasury in a special position. I am not sure that I agree with that and we could have tabled an amendment starting, "After consultation with the Treasury", but never mind, those are the provisions. The Treasury, however, is the protector of the public. In the debate on 31 January, the Leader of the House properly reminded us that the taxpayer must be borne in mind, but the taxpayers—whether through VAT or income tax—are our employers. Who, therefore, is representative of our employers? Is it the Treasury? More importantly, is it the First Lord—or even the First Lady—of the Treasury? This matter does not concern only the Chancellor. We all know who the First Lord of the Treasury is.

Or is the representative of the public the body of Members of the House of Commons? I should think that there is at least as strong a case for saying that those who represent the public are the members of the House of Commons in generality as there is for saying that it is the single individual who is the First Lord of the Treasury and Her Majesty's—or His Majesty's; we are thinking ahead—Prime Minister of the day. Therefore, is not it anomalous that not only does the Treasury have to give its consent—that means either the Chancellor or the First Lord or Lady and there has been talk about which it was in the past—but it makes the decisions? As the Bill is drafted, the order, because it uses the royal prerogative, will inevitably come into force unless it is negatived.

Is not it inappropriate for this important matter to be more on the side of the royal prerogative, within the personal control of the First Lord of the Treasury, than in the control of the House? Constitutionally, some people might argue, as I would on another occasion, that it should be entirely in the control of the House, acting as a representative of both the employers and employees, but that might be pressing it a bit hard. I am not saying that it should be framed only in consultation with the Treasury. The Leader of the House has drafted it as an agreement, so that is how we have it. However, if that is not so, there is an equal and proper argument that the House should not lie back and wait for it, but should have to give its approval.

After all, the proportions of contribution, whatever they may be in the future, will be made under a contract of the House with itself—Government, Members and First Lord together. It is not just one sided. I think that the Leader of the House will agree that, as drafted, the Bill

leaves everything on the side of the Government and of the prerogative and gives nothing to the House. For that reason, an affirmative order would be constitutionally more acceptable and fairer in terms of contract, if nothing else. I know that this is a late stage in the long saga of this matter. I may be only putting down a marker for some future debate when perhaps none of us is here. However, it is one of substance, it is constitutional, it is to do with contract and, on any objective basis, it would stand up for approval.

Sir Geoffrey Finsberg (Hampstead and Highgate): As one of the managing directors of the pension fund, I should perhaps say something. This is a matter which we considered, but we came to the conclusion that it was not right to have an affirmative resolution. The matter was discussed four years ago and, at the express wish of the House, the procedure was changed from the affirmative to the negative resolution. On Second Reading, it was felt that the change from primary to secondary legislation might give the House further opportunities to amend and debate the scheme. That was put to the Minister who undertook to consider the matter. He said:

"I am happy to give an undertaking on behalf of the Government that time will be made available for a debate on an amendable motion before any regulations amending the scheme are made under clause 2. This would allow, for example, the sort of debate that we had in July 1983 on the recommendations of the TSRB which led to the changes to the scheme that were made in the 1984 Act. The arrangements will be similar to the procedure for determining hon. Members' pay and allowances."—[*Official Report*, 13 May 1987; Vol. 116, c. 371.]

It was because that change was made at the request of the House four years ago that, when we most recently considered the matter, the managing trustees agreed, without dissent, that they would leave it as it stood. They felt that it would not be in the interests of Members to change the procedure.

I hope that the hon. Member for Newham, South (Mr. Spearing), after putting down his marker, will agree to withdraw the amendment. I feel that it would not fit in with the considerable amount of work that has been done by the chairman of the trustees, the right hon. Member for Manchester, Wythenshawe (Mr. Morris), who, alas, cannot be with us this evening.

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): I shall refer to two arguments that were advanced by the hon. Member for Newham, South (Mr. Spearing) before I deal with the substance of the amendment. My first response relates to the case to which he referred of an ex-Member and the tragic circumstances that surrounded him. I agree that in times past the House did not treat its Members well in respect of pensions and other matters. As the hon. Gentleman said, that is why we have the Members' fund —so that widows and others can be looked after. He will have noted that in clause 7 we have changed the wording relating to the Members' fund to enable the trustees—it is their responsibility—fully to exercise their discretion. The wording was worked out by the trustees and myself and I think that it is welcome to the House.

It was because there are problems relating to those who were previously Members of this place that I announced during our debate on 31 January that we were increasing funding from public sources, from the Treasury, by £100,000 up to the maximum to enable trustees to fulfil their responsibilities. I hope that that will help in dealing with those who were previously Members.

Secondly, I take up the excursion of the hon. Member for Newham, South into the siding of the balance of interests and who represents the public. There is a public interest in the form of those who are contributing the public sector element. Those are taxpayers. That is why the Treasury has an interest. Equally, we as Members make major contributions to the fund and we have an interest to ensure that our pensions are reasonable.

I would not agree with the hon. Member for Newham, South entirely and say that, because we represent the public as a whole, we can represent the public on this matter. There is a need to recognise that we have a vested interest. That is why we have the Top Salaries Review Body considering these matters and why, on the balance of contributions, I felt and the trustees agreed that the problem currently causing concern to Members should be referred to the TSRB.

I shall explain to the hon. Member for Newham, South why I think that things are better as they stand than they would be if his amendment were accepted. My hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) put the case well. As I explained on Second Reading, although regulations under the 1987 Act are subject to the negative resolution procedure, we are permitted, in line with an undertaking of the Paymaster General in 1987, as my hon. Friend the Member for Hampstead and Highgate said, to set down regulations before the House in draft so that the House can make its views known and have them taken into account. I think that it was agreed in 1987 that in that way the rights of Members would be fully protected. As my hon. Friend the Member for Hampstead and Highgate said, the trustees find that satisfactory. That, of course, is what we have done. There would be little point, therefore, in holding one debate on an amendable motion on regulations and then a second under the affirmative resolution procedure.

I assure the hon. Member for Newham, South and the House generally that we have promised that these matters will be debated. I think that the arrangement proved itself when we tabled our motion on the draft regulations, which improved the scheme and which we debated on 31 January. Although the hon. Gentleman suggested that everything might be on the side of the Government, I believe that practice has proved that that is not so. I hope that it is clear from the discussions with the trustees leading to the Bill and the regulations that there is proper mutual negotiation. That is also clear, I believe, following the decisions that we took on 31 January. On that occasion, I accepted on behalf of the Government an argument that was advanced in relation to MEPs, and that will be included in the final regulations.

I reassure the House that any regulations that are made under the clause will be treated in the same way as we approached the regulations on 31 January. I believe, therefore, that the amendment is unnecessary, and I hope that the hon. Gentleman, having heard what my hon. Friend the Member for Hampstead and Highgate and I have said, will agree that this is a better way to proceed.

For the sake of completeness, I should refer to a technically deficient part of the amendment. The purpose of the amendment is not only to ensure that the affirmative resolution procedure is used, but to eliminate the role of the House of Lords in the approval of the regulations. I am

[Mr. John MacGregor]

not sure that the hon. Gentleman intended that effect. As I am sure he knows, some members of the other place are in the parliamentary scheme. It would be wrong to exclude them from the parliamentary process. However, that is a lesser point, as it could be put right. The main point is the one that both my hon. Friend and I have made—that, from the point of view of the House, the proposal in the Bill is a more satisfactory way to proceed.

10.30 pm

Mr. Spearing: I should like to respond at once to the Leader of the House's closing point. It was, indeed, realised that the amendment would cut out the other place. I take the right hon. Gentleman's point that some Members of the House of Lords are former Members of this House. But there are many who are not and I do not see why their employment, casual though it may be, should be regarded, for these purposes, as being in any way different from the casual employment elsewhere of other past Members of Parliament. By custom and practice, the other place takes no part in financial matters. In my view, this matter should be covered by that custom. I plead guilty to having been very well aware of that aspect of the amendment.

Past Members who suffer tragedy are covered by the Members' fund, but, in respect of these matters, the atmosphere that we have inherited is not always good. There are one or two points that I want to press home when we discuss the clause stand part motion. To some extent, we are still in a transitional situation. I do not think that we have achieved the ultimately desirable level of benefits.

The Leader of the House said that, as there will be a debate, there is no need for my amendment. I freely acknowledge his undertaking given on 31 January, that there would be a debate and that it would take place after the TSRB had made its recommendations. However, the right hon. Gentleman will not always be Leader of the House. Nothing that happens on this occasion may be taken as a guarantee for the future. That is why the affirmative resolution procedure would be more appropriate, especially in respect of these matters.

I am very grateful to the hon. Member for Hampstead and Highgate (Sir G. Finsberg) for his remarks. His point is valid to some extent, but it comes into the category of the one made by the Leader of the House. He said that in 1987 it was agreed that there would be a debate and he referred to what has been custom and practice, but, as I have indicated, there is no knowing what will happen in the future. For the moment, the trustees may be quite satisfied. I bow to their judgment, but in principle I am a little wary of what has been said.

Sir Geoffrey Finsberg: The hon. Gentleman is making an interesting point. He and I have been Members of Parliament for about the same length of time. Both of us, when in opposition, have pressed Governments for certain undertakings. Once a Government have given an undertaking—something that is enshrined in *Hansard*—he, certainly, and I, so far as I know, have always accepted that it will be honoured by all Governments. We were given such an undertaking four years ago. The hon. Gentleman and I, good House of Commons men as we are, ought to be satisfied by that. Very seldom do people question undertakings given on behalf of Governments and recorded in *Hansard*.

Mr. Spearing: This is indeed a fascinating exchange. I take the hon. Gentleman's point. He will know to what I am referring when I say that a very important undertaking concerning the examination of certain legislation was given. That was undermined in a written answer given on the last day before the summer recess. I understand what the trustees have done. I understand that discussions have taken place. I believe that I have made a constitutional point in this context. The arguments have been made. Having heard what the hon. Member for Hampstead and Highgate, for the management trustees, and the Leader of the House had to say, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Mr. Spearing: I shall deal with not the structure of the clause and what it seeks to achieve, but the content. Again, we owe our thanks to the Leader of the House for the hard work that he has done. Having dealt with the complications of the common agricultural policy, waded through education in the United Kingdom and attempted to grapple with the procedures of the House of Commons, the simple matter of pensions should have been just a few moments of easy work. But alas, it is not thus. I imagine that the Leader of the House must have burned the midnight oil dealing with this extremely complex issue. Therefore, if what I have to say to him seems a little unfair, I hope that he will take it in good part.

The Leader of the House has said—he certainly did so in the debate on 31 January—that we want a scheme that is fair to everyone, but I am not sure that the scheme will be fair on widows. He has said that we have a scheme which will pay five eighths, not two thirds, of the pension allowable to the Member who dies. I hope that the next time that we have a benefit updating round we can have a look at that. It is not even five eighths of the pension of a Member who reaches the age of general retirement. It is five eighths of something less. That is an illustration of the point that I made. We still have some way to go in respect of that scheme.

I wish to deal with what is fair. I shall take the Lord President and hon. Members through a series of propositions with which they will not disagree. If any hon. Members disagree at any stage, they should please intervene. I have checked in various places and I believe that I have a watertight argument. It backs up the work of the chairman of my party, my right hon. Friend the Member for Salford, East (Mr. Orme), who is on the Front Bench.

We all want the scheme to be fair. There is an anomaly in the way in which we are working up the scheme. It must be fair in that it is not a disincentive to a person becoming a Member. More importantly, there should not be a disincentive in respect of a person's family, dependants or potential widow. We all know that at present in comparison to other schemes our scheme does not fulfil that criterion.

The scheme must also be fair to our employers, the taxpayers, as the Leader of the House has reminded us. But it must be fair to the Member. The proportion of

money that he has to pay from his salary should compare to what he, or other people in the public service, would pay if they were in a comparable occupation. I suggest that all those matters must be kept in some sort of equilibrium, together with what the benefit will buy or what the benefit level will be. We must watch that, too.

One of our problems in this realm is that three elements have to be borne in mind and they are sometimes confused. One is the proportion of money in any one year or over a period which can be contributed in money terms by the Exchequer and by the Members. The Government Actuary says that half of the money must be raised in order to keep the fund in equilibrium. The second is the proportion of the Member's salary. The third is the ratio between the contribution of the Member and that of the Treasury.

I suggest that those three elements, although related, are distinct. They are separate sets of variables, which can be moved together in more or less infinite combinations. Therefore, we have to decide on a system that raises enough money to reach the standard contribution, yet maintains equilibrium and fairness throughout the system.

At present, as I understand it, the main bone of contention in the evidence that my right hon. Friend the Member for Salford, East is to present to the TSRB is that in public schemes employees pay broadly 5 or 6 per cent. of their salaries, and the employer pays roughly double that amount. That proportion is more or less fixed, which is why we have perhaps alighted on the advantage of a fixed proportion.

However, the Leader of the House said in the debate on 31 January that there were disadvantages in a fixed proportion. If there is a change in demand in keeping up funds by the actuarial certificate—which is bound by some Acts of Parliament—while the hon. Member's contribution may be fixed, and we know how much the percentage will be for a long time ahead, the Treasury contribution could zoom up. The right hon. Gentleman pointed out in that debate that two or three years ago the Treasury contribution increased to about 18 per cent. The fact that it is now down to 4·4 per cent. is due to a notional surplus on the fund. But it is notional when compared to the benefits, because we know that the benefits are not what they ought to be.

Therefore, the Treasury gets what the Leader of the House is pleased to call a "holiday"—it is probably a banking term in the City, I do not know. I understand that for the foreseeable future that 4·4 per cent. is unlikely to be increased if we keep to the present actuarial calculations. I suppose that it could increase years ahead.

One of the problems that the Government Actuary and the House have is that membership can turn over pretty rapidly from one term to another—even more than redundancy. The age of Members of Parliament and the liabilities that they impose upon the fund can vary considerably. The actuarial calculations must be quite remarkable.

The other factor that is often overlooked is the skill in managing the fund. If it is managed skilfully, Members of Parliament still pay the same amount, but the Treasury contribution goes down. Although it is nice to have a skilfully managed fund, it benefits the Exchequer rather than the hon. Member, his dependants or the fund. There is an inherent imbalance in the situation.

In the previous debate on the subject the Leader of the House said that the scheme is quite good because if Members of Parliament have to pay a fixed amount they are cushioned by Treasury liability going up or down. I agree with him in principle, but the trouble is that that fixed amount is 9 per cent. At the end of that debate the Leader of the House said that that amount could only be changed by statute. What are we about? The future regulation, which we have just debated in greater detail, could change that amount year on year. It can be changed within the resolution, although it is a negative resolution. So there is room for almost infinite flexibility, within the legislation before us.

I suggest to the Leader of the House, and through this debate to the TSRB—to back up the evidence of my right hon. Friend the Member for Salford, East and that no doubt given by the trustees—that perhaps the ideal scheme is one in which the Member of Parliament's contribution is fixed to perhaps around 5 or 6 per cent. in line with outside schemes and the Treasury makes up any deficit, perhaps within a fixed limit, but one which is not less than the amount paid by the hon. Member, and which is on occasion a great deal more. That would mean that the tax payer—Joe Public—would be ensuring that public servants and their dependants were properly looked after. At the same time, the order would go through year on year to keep the equilibrium.

What is wrong with the present system is the 9 per cent., but it could surely be varied by clause 6. Therefore, I see no real difficulty for the future, provided the TSRB considers and reports on the points that I have been discussing. The structure might be equitable as long as the Member's contribution was equitable, but it is not. I do not think that the public could be regarded as a good employer if the contribution remained fixed at 9 per cent.

I hope that in recasting the mechanism through this clause, which we all welcome, the Leader of the House and others will note the arguments that I have made. I hope that they have been logical, correct and fair. The Leader of the House can put me right on any matter that I have not got correct, and we can go on from there. This is a contribution to the work of my right hon. Friend the Member for Salford, East, the work of the trustees and the midnight oil burned by the Leader of the House.

10.45 pm

Mr. MacGregor: The hon. Member for Newham, South (Mr. Spearing) covered two points. The first was on the five eighths widow's pension which has been agreed. The point to stress to the Committee is that it came about because of a negotiation with the trustees on using the surplus in the fund. The five eighths used up the balance of the surplus. That is why it was not possible to go further.

There is, of course, a potential problem if there are not surpluses in the future. If we have a five eighths or a two thirds widow's pension, contributions may have to be raised in future to meet that if there is not a surplus in the fund. That is for the future. The point at present is that it was agreed that this was a sensible way to use the surplus. I accept that it is important to increase the widow's pension to get it closer to the levels of the best elsewhere. The point was agreed by the trustees with me and my predecessor in discussions.

The second point raised by the hon. Gentleman relates to the balance of contributions, which was quite a feature in the debate on 31 January. He is right to recall that in that debate I outlined some of the reasons why the existing

[Mr. MacGregor]

method was reached and, indeed, recommended by the TSRB. I put those points to ensure that the House recognised that the arguments in favour of the change for which hon. Members were pressing were not all one way and that there were arguments in favour of the existing system. I stressed some of those in the debate in order to get the balance of the argument right.

As the hon. Gentleman knows, the balance of contributions is perhaps the biggest matter that I felt it right, and agreed with the trustees, to put to the TSRB to consider again. He will know that I announced that the Government accepted that the balance of contributions problem should be referred to the TSRB, as well as the resettlement grant about which hon. Members also felt strongly—I understand why. I indicated that I would put both positively to the TSRB. I wrote to the chairman of the TSRB on 4 February and the final text of the reference to the TSRB was published in *Hansard* on 5 February. I am glad to have the opportunity to restate that for hon. Members who did not see the written answer.

Perhaps I may use the opportunity briefly to update the Committee on the position in relation to the TSRB. As I told the House on 31 January, I expect the TSRB to report on the resettlement grant during April and on the balance of contributions as soon as possible thereafter—some time in May. The TSRB has asked that written evidence from the Government, the trustees, political parties and, indeed, anyone who wishes to make written submissions should be with it as soon as possible. It is a tight deadline. We are all working hard to that deadline because it is in our interests. I understand that the TSRB is to meet shortly before the end of the month. It will no doubt be inviting oral evidence in March.

We have set the TSRB a tight time scale for dealing with these important matters. I think the whole Committee will join me in expressing appreciation for the businesslike and brisk start that it is making. It is equally incumbent on us to express any views to the TSRB as quickly as possible.

The short answer to the hon. Member for Newham, South is that he is perfectly free to make the points that he has been making about the balance of contributions to the TSRB, so that it can examine them in relation to all the other points that have been put to it. I hope that the House will now approve clause 6.

Question put and agreed to.

Clause 6 ordered to stand part of the Bill.

Clauses 7 to 9 ordered to stand part of the Bill.

Bill reported, without amendment.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. MacGregor.]*

10.51 pm

Mr. Stanley Orme (Salford, East): May I briefly underline the points made by the Leader of the House and my hon. Friend the Member for Newham, South (Mr. Spearing) about the submissions to the TSRB regarding two vital points—the 9 per cent. contribution and the resettlement grant?

I have already written to the chairman of the TSRB putting forward the views of the parliamentary Labour party and hope to give oral evidence in the not-too-distant future. I welcome the timetable set by the Leader of the House and I am glad that the TSRB has started work already; I think that it will agree to that timetable.

The Bill has had a chequered career. It has taken much longer to go through the House than has major legislation: I have seen three Leaders of the House while it has been progressing through its stages. I hope, for the purposes of the Bill and the findings of the TSRB, that the present Leader of the House will remain with us at least until the next election, although I will not speak about what may happen after that.

I agree with my hon. Friend the Member for Newham, South that the five eighths contribution to widows is not sufficient. The trustees want it to be three quarters, and we shall continue the pressure. The doubling of the death grant is welcome, however, as are other small improvements.

Clearly this is not the end of the story, and we look forward to the report from the TSRB.

10.53 pm

Mr. MacGregor: I congratulate the right hon. Member for Salford, East (Mr. Orme) on the speed with which he has delivered his evidence to the TSRB: it is, I think, an indication of the importance that he attaches to the matter.

During our debate on the draft regulations on 31 January I said that I hoped to be able to accommodate the many representations made—both before and during that debate—in favour of years of service as an MEP counting as service in the House for the purposes of the early-retirement scheme. I now confirm that the Government accept that the change should apply to all service as an MEP, with no cut-off date. It will benefit all former MEPs now serving as Members of the House of Commons. The Government also intend to bring forward similar changes to the pension scheme for MEPs, to ensure that the two schemes remain in step with each other. That is, I think, a demonstration of how well the procedure has worked.

Drafts of the regulations were made available before the debate on 31 January. I hope to lay all the regulations, in final form—including those that provide for the increased death-in-service grant and the improved widow's pension—very soon. That is what impelled us to get on with it—that, in particular, there are increased death-in-service grants and improved widows' pensions which we are anxious to see in place.

Sir Geoffrey Finsberg: Can my right hon. Friend confirm that they will be retrospective?

Mr. MacGregor: They will be backdated to May 1988, as they were in the regulations.

The Bill has been gestating for a long time. I am grateful to the trustees and all the others who have been involved in bringing it to this point. That includes the hon. Member for Newham, South (Mr. Spearing) and, in particular, the chairman of the trustees. I hope that the Bill will now be given a Third Reading. It has had a speedy passage, which is what all hon. Members wanted.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

CENSUS (CONFIDENTIALITY) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker (Miss Betty Boothroyd): Second Reading what day?

Second Reading deferred till tomorrow.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

AGRICULTURE

That the Farm Diversification Grant (Variation) Scheme 1991 (S.I., 1991, No. 2), dated 8th January 1991, a copy of which was laid before this House on 15th January, be approved.

ROAD TRAFFIC

That the Traffic Areas (Reorganisation) Order 1990, dated 19th December 1990, a copy of which was laid before this House on 19th December, be approved—*[Mr. Nicholas Baker.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

AIR POLLUTION FROM DIESEL ENGINED VEHICLES

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees),

That this House takes note of European Community Document No. 6701/90, relating to emissions of gaseous pollutants from diesel engines for use in motor vehicles over 3·5 tonnes; supports the Government in its efforts to secure an agreement on emissions from motor vehicles, taking into account the environmental benefits, the cost to vehicles operators and the need to set a stable standard for industry; supports in particular Her Majesty's Government's endeavours to delay the 1992 date as industrially impracticable; and in this connection expresses concern that the Commission has proposed that the Directive be based on Article 100A, rather than the more relevant Environment Article which is subject to unanimity.—*[Mr. Nicholas Baker.]*

Question agreed to.

EMPLOYMENT PROTECTION

Ordered,

That the provisions of paragraph (2) of Standing Order No. 84 (Constitution of standing committees), paragraph (1) of Standing Order No. 86 (Nomination of standing committees) and Standing Order No. 101 (Standing Committees on Statutory Instruments, &c.) shall apply to the draft revised Code of Practice on time off for trade union duties and activities as if it were a draft statutory instrument; and that the said draft Code be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Nicholas Baker.]*

WELSH GRAND COMMITTEE

Ordered,

That during the proceedings on the Matter of Rural Wales, the Welsh Grand Committee have leave to sit twice on the first day on which it shall meet; and that, notwithstanding the provisions of Standing Order No. 88 (Meetings of standing committees), the second such sitting shall not commence before Four o'clock nor continue after the Committee has considered the Matter for two hours at that sitting.—*[Mr. Nicholas Baker.]*

Police and Fire Services (West Yorkshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

10.56 pm

Mr. Geoffrey Lofthouse (Pontefract and Castleford): Many of my hon. Friends with constituencies in west and south Yorkshire would have liked to take part in the debate, but because so many wanted to speak I have had to say to them all that I am not prepared to give way to any of them, due to the comprehensive nature of the subject and the short time at my disposal in which I want to make as many points as I can. My hon. Friends the Members for Wentworth (Mr. Hardy) and for Sheffield, Central (Mr. Caborn) in particular expressed a special interest in the subject.

I am grateful for this opportunity to draw to the Minister's attention the difficulties faced by the West Yorkshire police authority in determining its budget and, hence, the poll tax on the people of west Yorkshire for the coming financial year. The authority is facing extreme financial difficulties. It has a legal duty to provide an efficient police service, but it also has a duty to fix a budget within Government guidelines. The problem is that it is faced with the threat of poll tax capping at a level which would inevitably reduce its uniformed and civilian establishment.

In considering the precept for 1991-92, therefore, the authority has had to be mindful both of the provisional proposals for charge capping and its statutory duty, under section 4 of the Police Act 1964, to provide an adequate and efficient police force for its area. The announcements made by the Secretary of State for the Environment concerning his provisional capping proposals would allow the West Yorkshire police authority only a 7 per cent. increase on its current year's budget. Can this possibly be realistic when set against the background of inflationary trends as we know them today? Simply to stand still and do no more than attempt to maintain the current level of policing within the county requires a 12 per cent. increase in funding.

Obviously no service wishes to stand still and the authority would have hoped to be in a position readily to accept the additional 14 police officers recently offered by the Home Secretary for appointment on 1 October next. The issue that concerns me and many others most of all is that with one hand the Government, through the Home Secretary, increases police establishments while with the other the Secretary of State for the Environment removes the ability to pay not only for those extra officers but also for at least 200 other officers who are already in post. The authority intends to continue its "civilianisation" programme, as actively encouraged by the Government —a policy pushed hard by west Yorkshire—which has already shown the benefits of additional police officers on the streets.

I have been disturbed to hear that the police authority has already had to curtail the replacement of civilian staff who undertake duties essential to the running of the force. Those jobs will have to be done, and it will be necessary to take more police officers off the streets, thus reversing the Government's policy of maximising the availability of police officers by employing more civilians.

There is a dilemma facing the authority—a desire to protect services, allow a little growth and respond forcefully to an increasing crime rate in response to the often-voiced demands from the people of west Yorkshire. The capping proposals, however, restrict the authority's ability to respond to public demands. Despite representations from all groups within the authority and direct appeals to the Home Secretary and the Department of the Environment's senior people, the provisional capping proposals remain unchanged.

The authority is fully aware of its responsibilities and the potential more damaging effects of poll tax capping, but its members are worried about the scale of the reductions needed to meet the proposed capping threshold —£12 million. By anyone's assessment, that is a serious problem, but one that a responsible authority must address.

As you can well imagine, Madam Deputy Speaker, officers and members of the police authority have spent a large amount of time on budget options for the coming year. Obviously, the formulation of means by which the budget submissions and the capping threshold can be bridged with the least operational and financial detriment has been of paramount importance.

A small part of the chief constable's development bid has been retained within the budget package, primarily to allow the police authority to accept the increase in the police establishment and to fund priority improvements in the communications network. Those items have been retained only by identifying potential reductions elsewhere.

I am grateful for this opportunity to inform the House of the potential situation in west Yorkshire should the provisional capping criteria not be changed by the Secretary of State. The catalogue of cuts that will have to be made is far from palatable. Let us consider them: 213 fewer police officers by the end of March 1992; 200 fewer support staff to back up the police officers; fewer traffic wardens and police cadets; no replacement of police vehicles, other than for write-offs; no new equipment; and only minimal provision for building maintenance. Allied to all that, the authority will have to find a further 10 per cent. reduction in expenditure in other areas.

The authority has limited reserves available. They must not be used indiscriminately. It is vital that adequate reserves are available to support the budget to ensure that unforeseen operational demands—for example, policing of large demonstrations and protracted, complicated crime investigations—can be met. The police authority is a single service authority and has no opportunity to vire moneys from other budget heads to the police service to offset any problems that may occur.

The police authority is faced with unprecedented external pressures in formulating its budget and precept for 1991-92. Set against the authority's desire to maintain the level and quality of services, the severe financial restrictions placed on the authority through the capping proposals can only serve to reverse growth trends of past years and have an impact on the scope of police development.

The West Yorkshire police force is recognised as a progressive force which is at the forefront of new developments and initiatives. The budget that the police authority has to set will severely jeopardise the policing of the county of West Yorkshire.

Peter Nobes, the chief constable of West Yorkshire, is so concerned about budget reductions that he has taken the unusual step of writing to the Home Secretary about

his fears for the future policing of west Yorkshire. He is not alone in his concerns; as hon. Members may be aware, all the chief constables in other major provincial forces have written echoing their concern about their own areas. The chief constable cannot understand how, with an increasing crime rate—in west Yorkshire it was 27 per cent. in 1990—he is expected to police the streets of west Yorkshire with fewer police officers. Furthermore, he points out that his officers increased their efficiency considerably last year and detected more crime than ever before—an increase of 12·5 per cent. on 1989. It appears that the West Yorkshire force is being penalised for increasing its efficiency.

The chief constable is extremely concerned that he will not be able to replace any vehicles next year. Does the Minister realise that that will mean that the efficiency of the West Yorkshire force will be reduced considerably because it will be throwing money down the drain on repairing vehicles that must be retained beyond their economic lives? Vehicles will be off the road for longer, and that will store problems for years to come.

My main concern is west Yorkshire, but I take the opportunity of drawing to the attention of the House the corresponding difficulties faced by all the six metropolitan police authorities as a result of capping. The cuts faced by West Yorkshire are mirrored in the other five metropolitan areas. Can it possibly be acceptable for a Government who were elected on the promise of a strong law and order platform to be forcing such cuts on the police authority?

The fire service in west Yorkshire is in a similar position. In the past four years, our local fire service has been buckling in the face of the Government's discredited and discriminatory method of calculating the standard spending assessment. Despite sympathetic mumblings in the Corridors here and in Whitehall, nothing has been done to adjust the fire authority's unrealistic financial targets. The fateful result has been that the authority is no longer able to set an adequate budget.

That situation, in an essential public service, is untenable. Not only may lives be put at risk and jobs go to the wall but the authority may soon find itself in breach of its statutory obligations. By imposing a standard spending assessment which is a staggering £7·9 million less than the £52·9 million needed to pay for services in 1991-92, the Government display nothing but bankruptcy of financial thought. That £7·9 million represents hundreds of firefighters' jobs, the loss of vital fire-fighting appliances and equipment and the loss of nine special units. This morning, I visited Pontefract fire station and talked to fire officers and members of the fire service union, who spoke with one voice in expressing their concern.

Mr. Bob Cryer (Bradford, South): Will my hon. Friend give way?

Mr. Lofthouse: I am sorry, I cannot do so because I have little time left.

Three of the nine special units that will be lost are in my constituency. They carry specialised equipment such as a thermal imager, Viking suits, heavy cutting equipment, primary decontamination equipment, lighting generators, air bags for lifting equipment and paraguard stretchers. Those units are vital not only in my constituency, in which are situated the chemical plants of Hicksons at Castleford and Croda at Knottingley, large pits and the junction of the M62 and A1, but in constituencies throughout west Yorkshire and elsewhere. The main loss will be the skilled and highly trained men who operate those necessary machines, and that is nothing but a scandal.

If, as seems likely, the fire authority agrees to set a revenue budget at the maximum permitted to escape poll tax capping—£49·9 million—it will still leave a £3 million shortfall. With recruitment already suspended and savage one-off savings made in premises and supplies, the cuts will bite hard. Yet West Yorkshire's level of expenditure is determined largely by the need to provide fire cover to Home Office standards. The fact that the SSA takes no account of the cost of complying with those standards illustrates the absurdity of the present Administration's approach to local government finance. West Yorkshire is effectively being penalised by one Government Department for doing the bidding of another.

The need for a just formula for calculating SSAs that recognises Home Office approved establishment levels and local settlement patterns should be self-evident. Of course, there are none so blind as those who do not want to see, and there is genuine concern among many fire-fighters in west Yorkshire that Ministers have sought to squirm off the hook by exploiting the decisions of Her Majesty's inspectors, who have been investigating where cuts and efficiency savings could be made. I understand that in 1986 the Home Office revised the role of Her Majesty's inspectorate to require inspectors to make an assessment of "value-for-money" spending in brigades. In West Yorkshire, that has now led the inspectors to link underfunding of the brigade to a mysterious and hitherto undiscovered over-provision of fire cover. The future of five fire stations and a number of special appliances, such as emergency tenders and hydraulic platforms, was therefore called into question. It is rather strange that Her Majesty's inspectors should have called into question the need for such equipment.

The Home Office has suggested that it will support west Yorkshire's case for proper funding if it firmly addresses HMI's concerns. In simplistic terms, via the HMI, the Government have found a way to justify their assault on the fire service budget. The minimum required to satisfy the HMI may be the closure of Sowerby Bridge fire station, the withdrawal of nine specials and the loss of 137 jobs —60 of them in my area.

Given that the brigade is busier than ever and was established on a tradition of efficiency and thriftiness, I find it hard to accept that, overnight, surplus fat has appeared. Operational calls attended by the brigade increased by 30 per cent., from 29,027 to 37,967 between 1987-88 and 1989-90. In the same period, the number of fires increased by 38 per cent. to 16,845 and the number of people rescued by 35 per cent. to 104. Forty-five people lost their lives during fires in 1989-90—an 80 per cent. increase over the 1987-88 period.

How can fire and police authorities be expected to maintain an effective service, in accordance with Home Office guidelines, and at the same time work within the present budgets and capping arrangements? In my view, and in the view of the fire service, if the Government's capping arrangements are rigid, there will be loss of life. On the police side, we shall see an increase in crime. We have seen what has happened in London today. We cannot afford to allow our police to run down.

[Mr. Lofthouse]

On 13 February the Home Secretary sent a letter to police authorities. For the life of me, I do not know what the Government expect the police authorities to make of it. The third paragraph says:

"It is now for each authority to set its budget. In doing so it should take into account all relevant considerations including its statutory duties, the approved level of police manpower, the Government's intended capping criteria, the need as appropriate for expenditure restraint, and the scope for greater efficiency. Within this context I expect metropolitan police authorities to set their budgets at a level which maintains operational police manpower at the level which I and my predecessors have approved, and I do not expect this to be done by moving police officers into posts held by civilians. I also expect police authorities to pursue vigorously a policy of streamlining administration, cutting out waste, and maximising value for money."

The Home Office is asking a chief constable and others to do precisely what the Home Office does not expect chief police officers to do.

If the authorities budget over and above the capping guidelines, they will be threatened with capping. If they stick to their budgets and end up being capped, they must continue with the administration and circulation of the poll tax and that could cost each authority about £1 million. That money would be a complete waste. If the Minister cannot give me full assurances about the matter tonight, I hope that he will meet a small deputation from south and west Yorkshire and will give further consideration to our requests.

Mr. Cryer: On a point of order, Madam Deputy Speaker. If the Minister fails satisfactorily to answer the points raised by my hon. Friend the Member for Pontefract and Castleford (Mr. Lofthouse), my hon. Friends will be pressing for a wider debate in Government time.

Madam Deputy Speaker (Miss Betty Boothroyd): That is not a point of order for the Chair.

11.15 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): Let me first congratulate the hon. Member for Pontefract and Castleford (Mr. Lofthouse) on securing the debate. He made a courteous and powerful case on behalf of his constituents and I listened carefully to what he said about the police and fire services in west and south Yorkshire. It may help the House if I briefly explain how we have reached this position.

I acknowledge fully the contribution of the skilled and highly trained policemen and fire-fighters throughout the country. My dedication to progress in both those services is beyond question. I have for many years as a constituency Member been keen to promote the interests of both those services and of the ambulance service in my authorities.

During last year's capping round, many authorities suggested to us that in future we should make an early announcement of the criteria that we intended to adopt for charge capping for a year, well before authorities came to set their budgets for that year. This year we have done just that, as authorities requested.

On 31 October last year, at the same time as he announced his proposals for the revenue support grant settlement for 1991-92, my right hon. Friend the Member for Bath (Mr. Patten) announced his intentions for capping in 1991-92. He made clear then that he was prepared to make full use of his powers to cap authorities' budgets if necessary, to ensure that the benefits of the extra £3 billion which we were making available for 1991-92 were passed on to charge payers, rather than to fuelling excessive spending. With such an advance indication of our capping intentions, any authorities which in the event would be capped would have put themselves in that position with their eyes open. I shall be delighted to meet this week hon. Members who represent the authorities concerned if the hon. Member for Pontefract and Castleford would be kind enough to contact me, and we can discuss the issues.

Since October, my right hon. and hon. Friends and I have on several occasions made it clear that the Government stand firmly by our capping intentions. I do so again tonight. I want also to remind the House how the capping machinery works.

Having made clear our intended criteria, it is now for authorities to fix their budgets in that knowledge. When they have done so we must consider those budgets and make our statutory decisions on the criteria to be used. Those criteria will determine which authorities are capped.

At the same time, we must propose the numerical level of the cap for each capped authority in the light of the information we have about its individual circumstances. That authority then has 28 days within which to accept the level of our proposed cap or to suggest an alternative. Only thereafter if an authority has not accepted our proposed cap do we bring forward to this House an order finally fixing the level of its cap.

A number of metropolitan authorities have now set their budgets. Two fire authorities have now set budgets at or below the level of the intended criteria. Tyne and Wear fire authority has set it at the level and Greater Manchester has set it at about 2 per cent. below the level.

Mr. Lofthouse: I again draw the Minister's attention to the letter in which the Home Secretary says that he expects metropolitan police authorities to set their budgets at levels which maintain police manpower at the level which he and his predecessor had approved. Does that mean that if authorities set their budgets at levels which allow them to maintain that manpower they will not be capped?

Mr. Key: My right hon Friend the Secretary of State for the Environment must bear that important point in mind. We must also pay attention to the Home Secretary's decision, and will do so. I shall shortly return to the principle of that point.

I remind the House of the meaning of the intended criteria. They would mean that authorities that budget well above their standing spending assessments would be allowed a smaller budget increase than those budgeting nearer to their SSA before their budgets fell within the criteria. Most importantly, the intended criteria mean that no authority spending next year at or below its SSA will be capped. I remind the House that the settlement for 1991-92 which the House approved on 29 January means an increase of 19·4 per cent. in total SSAs, and an increase in total external support of 12·8 per cent., or almost £3 billion. This is generous and realistic.

Mr. David Hinchliffe (Wakefield) *rose*——

Mr. Key: I shall not give way because the hon. Member for Pontefract and Castleford did not give way and explained why. It would be unfair of me not to follow his example.

The House will wish to know what the settlement means for police and fire services. For the fire service, we have an increase in provision of 16 per cent. compared with 1990-91. For the police service the increase is approaching 12 per cent. These are not inconsiderable sums, and my right hon. Friend the Home Secretary is satisfied that the levels of provision which the Government have made available for these vital services are appropriate and sufficient. The settlement demonstrates once again that we are committed to ensuring effective and appropriate police and fire services throughout the country.

I should draw the House's attention to the fact that what we are providing takes account of increases in establishment approved by my right hon. Friend the Home Secretary. For 1991-92 he has approved an increase of some 700 uniformed officers across the country. He did that on 20 December last. The House may wonder why, only two days earlier, the chief constables of the six metropolitan areas were suggesting that, even with spending above SSA, far from there being increases in staff, there would need to be reductions. I find this contradiction difficult to resolve.

With this in mind, it is useful to look at the facts. Between 1979 and 1990, police strength in south Yorkshire increased by some 400 men and women to 2,969, while in west Yorkshire it increased in the same period by some 550 to 5,285. Yet we are told that it will be necessary next year to give up almost the whole of these increases achieved over 12 years. What, one may ask, could have led to such a drastic reversal of fortunes? The answer, we are told, is that it would actually be a result of being able to increase budgets by 7 per cent. in the case of west Yorkshire and 9 per cent. in the case of south Yorkshire.

The 7 per cent. increase is not an allowance for inflation. The key is the starting point. We do not accept that we should simply take last year's budget for an authority and allow an increase for inflation. West Yorkshire's budget for this year is just under 10 per cent. above its SSA. That is the level of spending that we consider appropriate to provide a standard level of service.

Many of the arguments advanced simply do not stand up. The House may wonder whether this is an example of the type of scaremongering story to which we have become accustomed from other authorities, but not, until now, from this quarter.

During the debate on the settlement, my right hon. Friend graphically illustrated how this sort of thing has happened in the past. He quoted from the NALGO publication "Public Service". It had carried out a survey of what actually happened in some of the authorities whose excessive budgets we capped last year. Rochdale's budget was cut by £8 million, with no compulsory redundancies. Bristol's budget cut was £7·6 million.

Mr. Hinchliffe: On a point of order, Madam Deputy Speaker. This debate is about West Yorkshire and South Yorkshire, not Rochdale or the other authorities that the Minister has mentioned. Will the Minister address the issue of the 10 per cent. cuts in West Yorkshire?

Madam Deputy Speaker: Order. The Minister is in order.

Mr. Key: Rochdale's budget was cut by £8 million, but with no compulsory redundancies, and Bristol's was cut by £7·6 million with no redundancies, no cuts in services and no charge increases. With this experience, the House may ask how can charge payers have confidence in their police and fire authorities?

Let me continue with my explanation of what the settlement means for those authorities. As the House may know, detailed methodology for SSAs has been adopted only after extensive analysis and research and after discussions with the local authority associations. For police, the distribution is based on the authority's approved level of police manpower. For fire, there is a number of indicators in the formula, including population, fire and false alarm calls, density of population, and a measure of the proportion of the area with a high fire risk. In essence, the end result is that for each authority there is a figure representing the measure of expenditure which would be appropriate for that authority to incur, in its particular circumstances, to provide a standard level of service. We were satisfied when we took our decisions, and remain so, that the police and fire formulas for SSAs are fair and appropriate.

When I meet the hon. Member for Pontefract and Castleford later in the week with his colleagues, I shall be glad to discuss these points. I very much hope that we can have a discussion. They will not be part of a capping delegation. We hope that by then his authorities will have set their budgets. I very much hope that we can continue to have confidence in the excellent service of the police and fire authorities in his constituency and across the country.

It is important to stress that we consider the particular circumstances of each authority and are concerned to provide a standard level of service across the country. We remain satisfied about the decisions that we have taken, but we cannot make final decisions on capping until budgets are set—that is laid down in statute—and we shall do so with every consideration.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-six minutes past Eleven o'clock.

House of Commons

Tuesday 19 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Gulf

1. **Mr. Tim Smith:** To ask the Secretary of State for Defence what are the total costs of the Gulf war to date; and what proportion of this he now expects to be funded by allied nations.

The Secretary of State for Defence (Mr. Tom King): The additional costs of the Gulf conflict so far assessed are some £1½ billion, including equipment lost and munitions used. On the basis indicated by my right hon. Friend the Chancellor in the debate on the autumn statement last week, we expect that the eventual costs could be £3 billion.

Allied and other nations have promised contributions of some £1¼ billion and support from host nations is worth about £200 million.

Mr. Smith: Is not it very good news that, following the successful visits of the Foreign Secretary to the Kuwait Government-in-exile and of the Chief Secretary to the Treasury to the United Arab Emirates, we now have a substantial commitment to our costs in the Gulf? Will my right hon. Friend confirm, however, that the Government will continue to try to ensure that countries such as Japan, which can expect to gain most from stability in the Gulf, make their fair contribution, too?

Mr. King: I am grateful to my hon. Friend for his comments. I confirm that we have hopes and expectations of significant additions to the sums that I have announced. My hon. Friend mentioned Japan. I had the pleasure of meeting the new Japanese ambassador yesterday and I know that the Japanese Government are keen to show their appreciation of the very significant contribution made by British forces to the coalition effort.

Mr. Radice: In view of the substantial allied financial contributions and the fact that replacement costs could be spread over a period of time, could not the financial costs of war to Britain easily be met?

Mr. King: I am not quite sure what the hon. Gentleman means by "easily be met." This is a very costly undertaking. I have set out what I think the costs will eventually be—of the order of £3 billion. We very much appreciate the contributions that are being made to help towards that sum, but I do not disguise from the House the fact that a signficant cost will remain to be borne by the United Kingdom.

Mr. Cash: Does my right hon. Friend share my gratitude and that of the British people for the £275 million that has been provided by the German people? Does he agree, however, that there may still be some leeway for a further and much more substantial contribution from them and that it does not particularly help to give £275 million one day and then to increase interest rates by 0·5 per cent. the following day?

Mr. King: That question goes a little wider than my immediate concerns. I appreciate the contribution that has been made. As my hon. Friend realises, we are also most grateful for the very substantial help that has been given by the German Government—the German Ministry of Defence—in a range of different matters, including vehicles, training, ammunition and equipment of one sort and another. I think that I am right in saying that every request that we have made to the German Government has now been met.

Mr. O'Neill: The costs that are being borne by our service personnel in the Gulf are a cause for concern to many people. That applies in particular to the poll tax. Will our troops be compelled to continue to pay the poll tax and, if not, who will make up the lost revenue that local government will have to raise?

Mr. Speaker: That question is just about as wide as the last one, I am afraid.

Mr. King: *rose*——

Mr. Speaker: If the right hon. Gentleman wishes, he may answer the first part.

Mr. King: I do not remember what the first part was, although I thought that both were out of order. The hon. Gentleman was perhaps trying to anticipate some of the discussions later today.

Mr. Favell: Has each of the Community countries now made a contribution towards the effort in the Gulf? In particular, have the Irish done so?

Mr. King: No. The House knows the Irish policy of neutrality and Ireland has not made a contribution in this respect.

2. **Mr. McAvoy:** To ask the Secretary of State for Defence if his Department is contributing funds or personnel towards the operation to clean up oil slicks in the Gulf.

The Minister of State for the Armed Forces (Mr. Archie Hamilton): The Ministry of Defence, in common with other Departments, responded promptly to requests for assistance in dealing with the oil slicks in the Gulf. For example, we made available three charter flights to transport 90 tonnes of pollution control equipment from industry stocks held in the United Kingdom to Saudi Arabia on 28 to 30 January. In addition, ships of the Royal Navy and our military aircraft flying in the area of the slicks have, where possible, been providing information on the slicks to assist in the assessment of their location, extent and movements.

Mr. McAvoy: It is all very well for the Minister to say that, but why, after so many predictions that oil spills were likely in the Gulf war—whether deliberate or accidental—did the Ministry of Defence take no steps to position oil spillage clean-up equipment in the Gulf before the fighting

started? Will he give priority to the environmental clean-up? Will he give a further commitment that the allies will not worsen what Saddam Hussein has done by bombing oil tankers or oil wells?

Mr. Hamilton: That is not the position. Saddam Hussein decided to put oil slicks in the Gulf. It would have been difficult for the allies to position oil spillage clean-up equipment in the area because it would have come under attack and been shelled by the Iraqis. The hon. Gentleman should make no mistake that the allies' aim was to stop off oil flows into the Gulf. Precision bombing has succeeded in stopping some of the slicks.

Mr. Hannam: Is my hon. Friend aware from reports in the media by the Royal Society for the Prevention of Cruelty to Animals that it is the only organisation that is sending people to the Gulf to deal with the problems of wildlife damaged in the oil spill and that it is making a direct appeal for funds? Can any help be given to that organisation and will he clarify whether the RSPCA is the only organisation looking after wildlife in the Gulf?

Mr. Hamilton: I am not aware of whether the RSPCA is the only organisation doing that work, but it is certainly making a valuable contribution. I hope that the British people will respond generously to what it is doing.

Mr. Boyes: Does the Minister agree that there was insufficient planning for an inevitability? Saddam Hussein should be in the dock for his malicious, wicked and futile gesture. He stands virtually unanimously condemned by the whole world for pouring millions of tonnes of oil into the Gulf which has proved dire for humans and calamitous for wildlife. Will the Minister join me in taking this opportunity to praise all those volunteers who have travelled to that troubled land to save as much wildlife as possible?

Mr. Hamilton: Yes, I certainly do, and I echo the hon. Gentleman's remarks. Saddam Hussein's callous act has led to the oil slicks and I pay tribute to the volunteers who are doing all that they can to clear them up.

3. **Mr. Hinchliffe:** To ask the Secretary of State for Defence what account is taken of the possible consequences to the environment in the military strategy employed in the Gulf war.

Mr. Archie Hamilton: Environmental factors are taken into account to the extent possible in the planning and conduct of military operations in the Gulf. We have repeatedly made it clear that we do all we can to ensure that collateral damage from our operations is minimised.

Mr. Hinchliffe: Bearing in mind the appalling environmental consequences of the Gulf conflict so far and the sad fact that worse may be to come, what dialogue has there been within the United Nations about that aspect of the Gulf conflict? Has consideration been given to the formation of an environmental equivalent of the Red Cross or Red Crescent to tackle that aspect of the war?

Mr. Hamilton: There has been a great deal of international co-operation on that aspect and I believe that the United Nations is conducting studies to ensure that minimal damage is done.

Mr. Brazier: Does my hon. Friend agree that the best thing for the environment in the Gulf would be for the allied forces to win the war so that the polluter will be forced out of the Gulf and we can start the clean-up?

Mr. Hamilton: I could not agree more. We must also bear it in mind that Saddam Hussein is capable of polluting the area with nuclear and chemical weapons, too.

Mr. Dalyell: Why should Mr. David Olsen, the consultant adviser on the environment to the Saudi Government, complain about a shortage of equipment?

Mr. Hamilton: I cannot answer for Mr. David Olsen. However, we have done our bit by sending about 90 tonnes of equipment which has been held here by the Department of Transport to help to clean up the problems in the area.

4. **Mr. John Marshall:** To ask the Secretary of State for Defence how many representations he has received about the use of British forces in the Gulf.

Mr. King: I have received a substantial number of letters from Members of Parliament and the public regarding the situation in the Gulf. Some 20 per cent. of a recent sample of letters reflected opposition to the presence of British forces and military action. This is very much in line with recent opinion polls, which also indicate overwhelming support for our forces in the Gulf.

Mr. Marshall: I thank my right hon. Friend for that answer, which praises the professionalism and self-restraint of British soldiers in the Gulf. Does my right hon. Friend agree that civilian casualties—the direct consequence of any war—are the result of the intransigence of Saddam Hussein? Will he contrast the attempt of the allies to minimise civilian casualties with the efforts of Saddam Hussein to maximise them by aiming Scud missiles at innocent civilians in Israel and Saudi Arabia?

Mr. King: My hon. Friend puts it very clearly and is absolutely right. I confirm again to the House that the absolute instruction for our service men—and, with the present air campaign, for our aircrews—is at all times to minimise civilian casualties. As my hon. Friend says, there is a sharp contrast in that we are seeking to minimise casualties while Saddam Hussein aims to cause them deliberately by aiming Scud missiles at civilian areas. The House may also have noted another contrast: if something goes wrong, as can happen, tragically, we manifestly try to set out the truth as well as we know it and do not try to conceal anything.

Mr. Menzies Campbell: Like the rest of us, even now the British forces in the Gulf would welcome Iraq's withdrawal from Kuwait in accordance with the United Nations resolution. However, can the Secretary of State confirm that, if Iraq does not withdraw from Kuwait, the British ground forces have now reached such a state of readiness that they can fulfil any military task that may be assigned to them?

Mr. King: Yes, I can confirm that. I spoke to General de la Billiere yesterday and he confirmed that the British ground forces are ready for a land campaign should it prove necessary. Of course, we hope even at this very late stage that Iraq will recognise the essential need to observe to the full the United Nations resolution. If not, it will have to face the consequences.

Sir Nicholas Fairbairn: Is not it strange that in the alleged attack on the bunker only women and children were in that air raid shelter? When on earth have only women and children entered a shelter during an air raid? Can the BBC please not provide propaganda for the enemy by suggesting that it was an attack on a civilian target?

Mr. King: The whole House will regret the death of any civilians, including women and children. The United States has made it clear that the building was a military command and control facility and that it had been on the target list for some time. However, it is very much regretted that there were civilians there, too, and the United States has made it clear that if it had been known that civilians were in that bunker, it would not have been attacked.

Mr. Duffy: While the Secretary of State is referring to public opinion, will he on every appropriate occasion bring to the notice of our men and women in the Gulf the quite extraordinary blend of public opinion at home, in the Arab world, in the international community and in the United Nations supporting totally their role, as well as the fact that their's is truly an historic mission and that they have the confidence of the House of Commons?

Mr. King: I am very grateful for what the hon. Gentleman, particularly with his background and experience, has said. I hope that those men and women know that. He is right to draw attention to the remarkable coalition, now involving 33 countries which have provided forces or contributions to the Gulf effort. That is very significant. He is right to draw attention to the contribution of our armed forces, which approach the matter not in an aggressive sense, but in the recognition of a job that may need to be done.

Forces and Equipment

5. **Mr. Dickens:** To ask the Secretary of State for Defence if he will make a statement on the training of United Kingdom armed forces and the servicing of United Kingdom military equipment.

Mr. Archie Hamilton: Members of the armed forces undertake regular training to prepare them as fully and as realistically as possible for the tasks that they may have to undertake in hostilities and to assist them in carrying out peacetime duties. Servicing of military equipment is aimed at maximising operational availability while ensuring that quality is achieved at a cost-effective price.

Mr. Dickens: Does my hon. Friend agree that the Gulf war has vividly demonstrated to everyone that today's warfare is highly technical and highly sophisticated? Must not we have the right calibre of personnel in our armed forces and give them the right well-maintained equipment and good training? Is not that what the British armed forces have always done and why they have always been considered to be the best in the world?

Mr. Hamilton: I am grateful to my hon. Friend and I follow him in paying tribute to our volunteer forces who are superbly trained and highly motivated and who have some of the best equipment in the world.

Mr. Douglas: Will the Minister acknowledge the contribution made by the Rosyth naval base and the adjoining dockyard to the training of personnel and to the servicing of equipment? Does he accept that it would be a cruel acknowledgement of that activity if the naval base were peremptorily closed? That would have a severe impact on the economic fabric of Fife.

Mr. Hamilton: I pay tribute to Rosyth naval base and the dockyard for keeping much of the Navy well equipped and enabling it to perform an excellent job. I am unable to comment on "Options for Change", which is reviewing all our support facilities. I cannot help the hon. Gentleman any further on that.

Mr. Sayeed: Does my hon. Friend agree that low flying has played a very important part in the courageous missions that the Royal Air Force has flown? Does not that give the lie to the Opposition's considerable irritation when they said that low flying was no longer necessary?

Mr. Hamilton: Yes, absolutely. One lesson that we have learnt is that low flying is something at which it takes a long time to become proficient. It is not something that can be worked up quickly in a short period before hostilities. I am afraid that, for the foreseeable future, we must continue with low flying, the value of which has been very much proven during this conflict.

Foreign Forces (Training)

6. **Mr. Tony Banks:** To ask the Secretary of State for Defence if any consideration is being given to a review of training facilities offered to the military forces of foreign governments in the light of events in the Gulf.

Mr. Archie Hamilton: Our policy on the provision of military training for overseas countries takes into account a wide range of factors and is kept under continuous review.

Mr. Banks: How can the Minister justify the fact that until March 1990, we were training Iraqi military personnel in this country? When Saddam Hussein was gassing the Kurds and invading Iran, we were supplying him with technology and training his military forces. When will the Government realise that when we accept money from every tinpot dictator who wants to send his troops here we are acting against the long-term interest of not only British troops in the Gulf, but all the British people?

Mr. Hamilton: The hon. Gentleman should get things in perspective. Since 1979 we have trained the forces of 110 different countries.

Mr. Banks: How many more of Saddam Hussein's forces are we training?

Mr. Hamilton: I totally accept that with the advantage of hindsight we would not have trained the Iraqis. However, the hon. Gentleman is now showing the wisdom that we would be at war with Iraq which no one else was able to do.

Mr. Cyril D. Townsend: Does my hon. Friend agree that it is greatly to the credit of this country that so many students from overseas wish to come to our training establishments? Perhaps they pick up some good ideas about relationships between politicians and service men. Does he also agree that they give us quite a lot of cash in the process?

Mr. Hamilton: That is absolutely true. Much of the training that we provide leads to export sales and the whole business of training for the armed services cements relationships with a number of countries.

Ulster Defence Regiment

7. **Mr. John D. Taylor:** To ask the Secretary of State for Defence how many part-time and full-time members there are in the Ulster Defence Regiment.

Mr. Archie Hamilton: On 1 January 1991, there were 3,088 part-time and 2,955 permanent cadre members of the Ulster Defence Regiment.

Mr. Taylor: As a Minister involved 20 years ago in the launch of the Ulster Defence Regiment, I welcome those figures. Will the Ulster Defence Regiment continue to have sufficient resources made available to it to maintain its manpower, especially as it is in competition with other security forces such as the RUC, the Territorial Army and various Irish regiments in the regular British Army? From the experience of the past 20 years, will the Minister ask the Leader of the House to provide time for a debate on the Ulster Defence Regiment so that we can further improve and strengthen that regiment in Northern Ireland, whose service is respected throughout the whole community?

Mr. Hamilton: I, too, pay tribute to the Ulster Defence Regiment, which plays a valuable role in combating terrorism in Northern Ireland. We will, of course, ensure that it is properly funded. I am sure that my right hon. Friend the Leader of the House will have heard the right hon. Gentleman's remark about a debate.

Mr. Conway: Does my hon. Friend accept that the UDR is an effective part of the Territorial Army and that any move to reduce the scale of the Territorial Army, which consumes less than 3·5 per cent. of the Army's budget, would be greatly contested by many in the House?

Mr. Hamilton: I must put my hon. Friend right. The UDR is not part of the Territorial Army; in Northern Ireland, the Territorial Army is a wholly different organisation. However, I hear what my hon. Friend says about the Territorial Army and I will take that into account when we come to consider its future.

Chieftain Tank

8. **Mr. Cousins:** To ask the Secretary of State for Defence when he will announce his decision on the replacement for the Chieftain tank.

14. **Mr. Trotter:** To ask the Secretary of State for Defence when he expects to be able to announce an order for a new tank to replace the Army's Chieftains.

The Minister of State for Defence Procurement (Mr. Alan Clark): We had hoped to announce a decision on equipment for our future main battle tank fleet in the early spring. Hon. Members will appreciate that it would not be realistic to take such a decision at present and that it is sensible to defer it.

Mr. Cousins: Does not the Minister recognise that this further postponement, for perhaps as long as 18 months, on a firm decision on Challenger 2 puts at risk the jobs of many hundreds of people on Tyneside and in Leeds? Does not the Minister further recognise that those same people are working—and have been working for many months—to supply our forces with Challenger 1 tanks, which are now in the Gulf, with all the equipment that they need? Does not he realise that his answer means that those workers face the production line now and the redundancy queue later?

Mr. Clark: No. The hon. Gentleman's question is entirely unjustified. However, I join him in paying tribute to the workshops in those factories and to the tremendous support that they have given to the existing tank fleet in the Gulf. The figure of 18 months is pure invention by the hon. Gentleman and he should know better than to try to spread it round.

Mr. Trotter: Does my right hon. Friend accept that the same skill and dedication as have been shown in support of the Army in the Gulf by the work force at Vickers have gone into the design of Challenger 2? It has been designed specifically to meet the British Army's requirements for the future and it does meet them. Does he accept that we want the tank order to be placed with Vickers on the basis of our confidence in its capabilities and that an early decision is necessary to remove the present uncertainty in the plants in the north-east?

Mr. Clark: I certainly confirm that Challenger 2 has achieved all the thresholds that we put in place for it to satisfy. My hon. Friend will agree that, faced with the likely prospect of the first major armoured engagement since the Yom Kippur war, it would not be prudent to make a precipitate decision in advance.

Mr. Batiste: Does my right hon. Friend agree that many of our friends overseas who were planning to buy battle tanks for themselves have been very favourably impressed by the performance of Challenger, but that they are waiting to see the outcome of the United Kingdom competition? Will he bear that very much in mind in deciding his timing and so assist the company in building on the dramatic progress that has been made since the day that Vickers took over the royal ordnance factory at Barnbow?

Mr. Clark: My hon. Friend is right to draw attention to that point. The performance of Challenger 1 in the region has been impressive and the mean time between failures has greatly exceeded the figures that it was turning in in Germany. That has been apparent to a number of potential customers in the area who have noticed it favourably.

Mr. Cryer: Would not it be a good idea for the Government to consider the development of alternative uses of such factories to employ their great skills and equipment? Dependency on one product makes factories vulnerable. Surely the Government will examine the odious international arms trade after the cessation of Gulf hostilities in an attempt to curb that trade. That would stop our troops having British weapons used against them.

Mr. Clark: It is not the business of government to direct companies on the form of their commercial activities. The hon. Gentleman might care to make his point to the work force or have a quiet word with his hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins).

Builders (IRA Threats)

9. **Mr. Kilfedder:** To ask the Secretary of State for Defence whether the armed forces in Northern Ireland are experiencing any problems as a result of IRA threats to builders and suppliers.

Mr. Archie Hamilton: The Government take all the steps necessary to ensure that the requirements of the armed forces in Northern Ireland are met. Intimidation and brutal, cold-blooded murder by terrorists of ordinary people working for their living has not, and will not, advance the terrorist cause one inch.

Mr. Kilfedder: Will the Minister pay tribute to all those people of courage who have fulfilled their contracts for the security forces, especially those who have been murdered by the cowardly members of the IRA? Is the Minister aware that the Ulster people have nothing but contempt for those who seek out such soft and easy targets as civilians who work for the security forces, especially Roman Catholic members of the community who are trying to do their best for Northern Ireland and for their families?

Mr. Hamilton: Yes, I am delighted to pay great tribute to the people who work for the security forces in Northern Ireland. The whole programme of construction in Northern Ireland, which has been massive, as the hon. Gentleman is aware, has not been put back one bit by terrorist acts.

Mr. Ron Brown: While we all roundly condemn terrorism, especially the terrorist acts recently in London, does the Minister agree that there is an argument for withdrawing, especially British troops, from the Province —as there is an argument for withdrawing Scottish troops from the Gulf—*[Interruption.]*—and may I remind the Minister that about 42 per cent. of all British troops are Scots? We must argue the case——

Mr. Speaker: Order. The question is about Northern Ireland.

Mr. Brown: I was talking about the linkage and pointing out that, as we all say, negotiation is better than conflagration and peace is better than war.

Mr. Hamilton: I remind the hon. Gentleman that the presence of British troops in Northern Ireland is to uphold the democratic will of the majority of the people there. He must believe as much as I do in the democratic rights of the people of Northern Ireland.

Defence Equipment (Overseas Sales)

11. **Mr. Flynn:** To ask the Secretary of State for Defence what new initiatives he plans in the area of overseas sales of defence equipment.

Mr. Alan Clark: Officials in the Defence Export Services Organisation are in constant touch with friendly foreign countries, both directly and through overseas posts, to best help furnish the equipment they require for their own self-defence.

Mr. Flynn: Does the Minister recall that the Indonesian Government killed a bigger proportion of the population of East Timor than Pol Pot killed of the population of Cambodia? Why are Government agencies at this moment encouraging British Aerospace to sell Hawk aircraft and other weapons to the butchers of Indonesia? When will we realise that the international arms trade is the greatest cause for evil in the world? When will Britain stop selling arms to the madmen, butchers and tyrants of the world?

Mr. Clark: I reject the imputation that the hon. Gentleman puts on his supplementary question. Very strict and stringent conditions are applied to the sale of armaments. All armaments require export licences and they are considered by three Departments—mine, the Foreign Office and the Department of Trade and Industry.

I reject the hypocrisy that is evident in many of the questions that are directed from the Opposition Benches on this subject. Provided the rules and guidelines are strictly followed, there is a considerable benefit, in terms of domestic employment and overseas earnings, from defence sales. The House is littered with hon. Members on both sides who lobbied me, when I was Minister for Trade and since, on contracts that affected their constituencies, although I recognise that they prefer to keep silent on this occasion.

Sir Dudley Smith: Does the Minister believe that once the war is over, there might be some merit in having a thorough European appraisal of the whole question of the sale of defence equipment, perhaps via the aegis of a body such as the Western European Union?

Mr. Clark: Yes, certainly. After the successful conclusion of the conflict, the most important concern will be to build up and maintain stability in the area. In his Blaby speech, my right hon. Friend the Foreign Secretary developed that theme at some length.

Mr. Rogers: Further to the remarks by my hon. Friends the Members for Newham, North-West (Mr. Banks) and for Bradford, South (Mr. Cryer), coalition forces in the Gulf are now faced by Iraqi troops who have weapons supplied by coalition countries. Surely that demonstrates the need for more effective control of the arms trade, especially in the light of the fact that in his main answer the Minister said that we should supply arms to friendly foreign countries, which Iraq recently was. Will the Government give the highest priority to the issue of the introduction of weapons into an unstable area, such as the middle east, as soon as the war is over?

Mr. Clark: The basis of Britain's role in defence sales is the right to self-defence as enshrined in article 51 of the United Nations charter, but, of course, that question must be considered sensitively and intelligently and in the light of all the diplomatic and political factors prevailing at the time. When the conflict is over, I have no doubt that, together with the Foreign Office and the Department of Trade and Industry, my Department will look at many of those topics with that point in mind.

The Gulf

12. **Mr. Riddick:** To ask the Secretary of State for Defence if he will make a statement on the latest situation in the Gulf.

15. **Sir Philip Goodhart:** To ask the Secretary of State for Defence whether he will make a further statement about Operation Desert Storm.

16. **Mr. Burns:** To ask the Secretary of State for Defence if he will make a statement on the conflict in the Gulf.

Mr. Tom King: Allied pressure on the Iraqi military machine continues to grow. The main weight of the air campaign is now directed against Iraqi forces in and near Kuwait, and the Iraqi navy has been largely destroyed. Yesterday, British artillery was in action for the first time in a limited engagement. This is part of the preparations for the ground campaign which will be inevitable unless Saddam Hussein complies with UN Security Council resolutions.

Mr. Riddick: Is my right hon. Friend aware that a former Labour Cabinet Minister yesterday described reporters in Baghdad as "fifth columnists" not, perhaps, without some cause? Will my right hon. Friend communicate to the BBC and ITN the real sense of anger that is felt by many people in this country at what they see as Britain's reporters reporting back to this country from Baghdad only what Saddam Hussein wants them to report in his efforts to undermine the morale of the British people —efforts which will, of course, prove ineffective?

Mr. King: I very much agree with my hon. Friend's sentiments. It is extremely difficult for the correspondents in Baghdad to be able to begin to discharge their proper responsibilities when operating under the conditions which manifestly exist. One cannot draw a bigger contrast than to point to the way in which, over the weekend when it is possible that there may have been a most unfortunate and regrettable incident in which some civilians may have been killed, we made a point of putting before the public such facts as were available to us.

Sir Philip Goodhart: While saluting the skill and bravery of our service men and women in the Gulf, does my right hon. Friend recognise that it will take some time to evaluate the military lessons of Operation Desert Storm, which will inevitably mean that there will have to be a fundamental review of the paper "Options for Change"?

Mr. King: As my hon. Friend knows, I have made it clear that we wish to learn any lessons that can be learnt. The remarks of my right hon. Friend the Minister of State for Defence Procurement on the subject of the next tank order will obviously take account of the lessons that can be learnt. We shall be keen to take full stock of the implications that flow from Operation Desert Storm.

Mr. Home Robertson: Given that there is still some outside hope of a diplomatic solution to the crisis, are there any contingency plans for supervising a peaceful withdrawal of the Iraqi forces from Kuwait, and how long would that take?

Mr. King: We do not yet know whether the Iraqis will withdraw. We have made it quite clear that we wish to see an immediate and unconditional withdrawal. Once we are satisfied that that is happening, arrangements about the way in which it is to be carried out will be a matter for urgent discussion.

Mr. Burns: Will my right hon. Friend accept that the conflict and peace in the middle east cannot be won simply by the acceptance of resolution 660? Does he agree that the other resolutions, up to and including resolution 678, must be implemented and that Iraq's chemical and nuclear capability must be removed?

Mr. King: We have always stood by the United Nations resolutions. As my hon. Friend says, that means more than resolution 660.

Ms. Short: Will the Secretary of State explain how it helps to get Iraq out of Kuwait to bombard Baghdad more heavily than it has ever been bombarded before, as we have been told in the press that the allies did last night? Is not it a breach of the Geneva convention to deprive civilians of water, food, electricity and proper medical treatment and to destroy their sewage system, so causing disease in the centre of Baghdad?

Mr. King: The attacks conducted as part of the air campaign are specifically directed at strategic or military targets, as the House knows. In Baghdad, there are control centres and communication centres which directly control and order the people in Kuwait. Those centres are certainly legitimate targets.

Representing the constituents she does, the hon. Lady should think hard before she starts talking about the Geneva convention. She knows perfectly well that there are families of service men who do not yet know whether their sons or husbands are alive or dead. Those service men have been shown on television and we do not yet know their fate. We have not had a single word from the Iraqi authorities to fulfil the most elementary obligation under the Geneva convention. I do not know how the hon. Lady can stand up and berate us about the Geneva convention without addressing that aspect.

Mr. O'Neill: Will the Secretary of State assure the House that there will be no reduction in military pressure until Saddam Hussein clarifies last Friday's announcements from Baghdad and starts to make arrangements to withdraw from Kuwait?

Mr. King: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs made the position clear. I make it clear that until and unless Iraq immediately and unconditionally withdraws from Kuwait, hostilities will continue as planned.

Mr. Hayes: While fully appreciating the difficulties experienced by journalists in Baghdad in reporting the situation out there, does my right hon. Friend agree that the report on the "Today" programme from a BBC journalist who talked about the allied forces perpetrating five hours of bombing was disgraceful? According to the Oxford English dictionary the definition of "perpetrate" is to commit a crime, a blunder or something outrageous. Does my right hon. Friend agree that that report was nothing short of disgraceful and that such reporting does nothing to help the morale of our people here or in the Gulf?

Mr. King: On the last point, I would not be so despondent about the morale of our people here. In spite of reservations that we may have about the way in which some of these matters have been reported, we can recognise with admiration the steadily increasing support shown in the polls and right across the country for our forces in the Gulf, the dangerous work which they are undertaking and the difficulties that they face. We, for our part, will tell the truth about the circumstances in which we

are involved in the conflict, even if mistakes are made or things go wrong. Broadcasting authorities and correspondents have a heavy responsibility to make sure that at all times they give the fairest possible representation of the true facts.

Quality Assurance Unit

13. **Mr. Cartwright:** To ask the Secretary of State for Defence when he expects to announce a final decision about the future location of the Directorate General of Defence Quality Assurance.

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. Kenneth Carlisle): Our studies are well in hand. We are considering several options for the relocation of the Directorate General of Defence Quality Assurance and will come to a decision as soon as possible.

Mr. Cartwright: Does the Minister realise that uncertainty about defence quality assurance has continued for more than 15 years? As one final decision to build a new headquarters at Woolwich is said to have been overturned and a second final decision to move to Teesside now seems in doubt, can he assure us that this costly dithering will stop and that the next final decision will really be final?

Mr. Carlisle: As I said, we are looking at all the options and no decision has yet been taken. We hope shortly to come to a decision. I know that the hon. Gentleman is concerned about his constituency, but he should bear in mind that it will greatly benefit from any redevelopment of the royal arsenal west site.

Mr. Devlin: It is nothing short of disgraceful that the Government, who previously announced the movement of the quality assurance unit from Woolwich to Teesside in 1989, now seek to renege on that commitment to move those 1,500 jobs. When will the Minister bring this matter to a positive conclusion in favour of the previous announcement?

Mr. Carlisle: My hon. Friend has fought long and hard to win the relocation for Cleveland and I pay tribute to his efforts. He will understand that we have a public duty to look at all the options in order to achieve the best value for money. I repeat that we have not yet made any decision, but hope to make one shortly. We certainly recognise the merits of his Preston farm site.

PRIME MINISTER

Engagements

Q1. **Mr. John Carlisle:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister (Mr. John Major): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Mr. Carlisle: Does my right hon. Friend agree that the one event in these troubled times that has given much pleasure to people, and especially to our troops in the Gulf, has been the comprehensive English rugby victory at Twickenham? In that context does he further agree that we should begin to think about providing them with some real opposition which can now come only from South Africa? Is my right hon. Friend encouraged by the meeting of Commonwealth Foreign Ministers at the weekend which virtually saw the beginning of the end of the infamous Gleneagles agreement? Will he take further initiatives to restore British-South African sporting relations?

The Prime Minister: In answer to my hon. Friend's first point, I am not sure that many Scots troops in the Gulf would necessarily agree with him. I recall occasions when both the Scots and the Welsh had rather too satisfactory results at Twickenham and elsewhere. I agree with my hon. Friend's substantive point that the time has come to resume sporting links with South Africa in areas where there is now proper integration of sport within the Republic of South Africa. I have discussed that matter with other Commonwealth leaders and I hope to take it forward.

Mr. Kinnock: The Secretary of State for Education and Science today said:

> "I'm not interested in proposals that transfer expenditure on education from the local taxpayer to central Government taxation".

Does the Prime Minister agree with his Secretary of State?

The Prime Minister: As the right hon. Gentleman knows, we are examining a whole series of options in the community charge review. If the right hon. Gentleman will be patient we shall announce the result of that as soon as possible.

Mr. Kinnock: But the Secretary of State could not have been clearer in ruling out the idea of transferring expenditure from local taxation to central taxation. Will the Prime Minister make his position clear on this aspect of concern? Does he support his Secretary of State for Education and Science?

The Prime Minister: I shall make the position entirely clear on the matter under review when we have finished the review.

Mr. Kinnock: Why does not the Prime Minister save a great deal of time and the country a huge amount of money by abolishing the poll tax and accepting the Labour party proposal for a modern system of fair rates? That is the best way to deal with the poll tax.

The Prime Minister: I am sure that the whole country will have listened with interest to the right hon. Gentleman. What a shame that when he announced his proposals in Scotland they did not meet with the acclaim that he expected.

Mr. Malins: My right hon. Friend will be aware that the man who was so cruelly murdered by the bomb at Victoria station yesterday came from Thornton Heath, which is in my constituency, and leaves a wife and baby son. Will my right hon. Friend send the sympathy of the whole House to that family, and can he assure us that no expense or effort will be spared, to bring the callous killers to justice?

The Prime Minister: The whole House will share the views that have been expressed by my hon. Friend. I certainly offer to the family of the gentleman who was killed, and to all those who were injured, our very warmest sympathy. One is bound to ask what sort of people it is that can carry out attacks of this kind. They are certainly

consumed with hate, and they are certainly sick of mind. And they can be certain of one thing—that they will be hunted and hunted until they are found.

Q2. **Mr. David Marshall:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Marshall: With unemployment soaring past 2 million, with record numbers of homeless people and home repossessions, with pensioners freezing to death because of his penny-pinching policies, is not the Prime Minister reminded of the tale of the king's new clothes? Can he tell the House just what is different about his premiership, when it is apparent to all that, if he is not altogether naked, he is simply wearing the threadbare clothes of the previous Prime Minister?

The Prime Minister: I am not entirely sure that they would wholly suit me. With regard to the hon. Gentleman's substantive point, I have to say that he left something out of his catalogue. For example, he omitted the work on the £55 million programme to transform a rundown area of Glasgow's east end. I should have thought that he would know about that. He also forgot that that programme will create 1,000 jobs in that part of Glasgow.

Mr. Gale: My right hon. Friend is aware of the level of public concern that has been expressed about media coverage of Gulf events—particularly reports from Baghdad. Does he agree that it is not incumbent upon either the BBC or ITN to sink to the levels of some foreign news organisations? Is not it particularly important at this time, when the wives and families of service men are watching television, that every effort should be made to ensure that the public are made well aware that any report coming out of Iraq is subject to very severe censorship?

The Prime Minister: I think it is clear to people that reports coming out of Baghdad are subject to censorship, and I hope that the BBC and the other transmission channels will make that clear on every occasion.

Q4. **Mr. Livingstone:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Livingstone: In the light of the news from Moscow that President Gorbachev has given Saddam Hussein 48 hours to reply to his peace proposals, can the Prime Minister assure the House that no ground war will be launched by the coalition while those negotiations continue?

The Prime Minister: I do not think that the hon. Gentleman can seriously expect me, on this occasion or on any other occasion, to give information of a military sort. Certainly I can confirm that President Gorbachev sent to me late last night the proposals that he had put to Tariq Aziz.

Q5. **Dame Elaine Kellett-Bowman:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Dame Elaine Kellett-Bowman: Has my right hon. Friend seen this excellent report of the North Western regional health authority, a copy of which I sent him? If so, he will have noted that the health authorities of Lancaster and Blackpool top the league in the immunisation against diphtheria of children under two. Those districts also have the lowest rates of death from cancer at all ages.

Will my right hon. Friend join me in congratulating all those concerned—the administrators, the doctors, the nurses, the ancillary staff and all others involved—on their splendid team effort?

The Prime Minister: Yes, I have seen the brochure that my hon. Friend sent me. I congratulate all those concerned in the Blackpool and Lancaster districts on their achievement in respect of immunisation rates and the low rates of death from cancer. The national target for immunisation is 90 per cent., and that has been achieved. It is worth mentioning that the accelerated immunisation schedule for younger children and the introduction of the new GPs' contract should further improve the immunisation uptake figures nationwide. It is becoming clear that the health reforms are improving preventive medicine in a remarkable way.

Mr. Kirkwood: Has the Prime Minister had a chance to study reports in today's press on the progress made to date on the internal Government review of the poll tax? Is he aware that those reports imply that no one involved in those review negotiations is in favour of the Government retaining the poll tax? If that is true, does not the right hon. Gentleman have a duty to make an early statement to the House and the country that, whatever options are still being considered, the poll tax is now well and truly ruled out?

The Prime Minister: We will make a statement at the end of our review and not before.

Q6. **Mr. Harry Greenway:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Greenway: Is my right hon. Friend aware that his commitment to an excellent education for all our children is widely supported and welcomed throughout the House and the nation? To that end, is he pleased that Her Majesty's inspectors' report shows that the first year of national curriculum maths is going extremely well for five and 11-year-olds and throughout the age range, and that children and teachers are working well to achieve that? Will my right hon. Friend congratulate them?

The Prime Minister: Yes, I am happy to do as my hon. Friend suggests. The report demonstrates that the national curriculum has stimulated a range of improvements in schools and that teachers have worked hard to take advantage of the opportunities. That can be only to the benefit of the children and I look to see it continue.

Q7. **Ms. Primarolo:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Ms. Primarolo: Given the expected statement this afternoon by the Secretary of State for the Environment giving poll tax exemption to forces serving in the Gulf, will the Prime Minister this afternoon agree to extend exemption from this vicious tax to all deserving groups, such as the nurses?

The Prime Minister: The hon. Lady and her colleagues will carry more weight on the community charge matter when all of them pay their community charge and their fair share of local government taxation. I have no doubt that the hon. Lady has already done so. [HON. MEMBERS: "She has not."] I note that the hon. Lady has not and I hope that others will have noted that, too.

Ms. Primarolo: The right hon. Gentleman is wrong. I have paid my poll tax.

The Prime Minister: The community charge reduction scheme will help 18 million people who face community charge bills.

Q8. **Mr. Knowles:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Knowles: Despite the scaremongering from some local authorities, I welcome the community charge relief scheme, but will my right hon. Friend comment on the effects of that scheme throughout the country? If he had available the figures for Nottingham in particular, I and my constituents would welcome them.

The Prime Minister: As my hon. Friend knows, the community charge reduction scheme will make a significant difference to a large number of people this year with more than 18 million people being eligible for rebates under it. If Nottingham city council sets the same level next year as it did this year, a couple living in an averagely-rated property would receive a reduction of £238 between them.

Mr. Turner: Will the Prime Minister comment on the recent statement by the hon. Member for Harlow (Mr. Hayes) that unless substantial funds are made available to the NHS before the end of the financial year, elderly people and people from other groups might die? Does the right hon. Gentleman agree with that statement? *[Interruption.]*

Mr. Speaker: Order. I did not hear that.

The Prime Minister: The hon. Gentleman will be pleased to know that my hon. Friend the Member for Harlow (Mr. Hayes) sitting behind me says that he said no such thing.

Q9. **Dame Jill Knight:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Dame Jill Knight: Has the Prime Minister any up-to-date knowledge of the British airmen who were shot down or who ejected over enemy territory? Will he assure the House that any peace terms that are accepted will include as a priority the return of those airmen unharmed?

The Prime Minister: I wish that I could say to my hon. Friend that I had the information that she seeks. We have tried repeatedly but thus far have had no success in getting it. I share my hon. Friend's great concern about Iraq's failure to fulfil its commitments under the Geneva convention and to grant the Red Cross access to prisoners of war. We remain in constant touch with the International Committee of the Red Cross and are urging it to do everything possible to get Iraq to live up to its obligations. I agree very much with my hon. Friend that the immediate release of prisoners of war, including our airmen, must be part of any ceasefire.

Q10. **Mr. Strang:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Strang: If President Saddam Hussein responds to the Soviet peace initiative with an undertaking to withdraw all his forces from Kuwait unconditionally, does the Prime Minister agree that the allies should respond by stopping the bombing and halting moves towards a ground war in Kuwait?

The Prime Minister: We are all aware that proposals have been put by President Gorbachev to Iraq. I confirmed that to the House earlier. In his message President Gorbachev specifically asked me to keep the proposals confidential. Therefore, upon those I can offer no substantial comment. In any case, as the hon. Gentleman intimated, we have to bear it in mind that it is the Iraqis who have been asked to respond, not us. We await a response from them. Nothing has yet happened which would incline us to agree to a ceasefire or a pause in the conflict. If Saddam Hussein wants to avoid a land battle, he knows what he must do: he has to withdraw unconditionally and immediately from Kuwait and implement the Security Council resolutions in full. Unless and until he does that, the conflict will continue.

Point of Order

3.31 pm

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Speaker. As you were entering the Chamber at 2.30 pm, the last 50 of the 8,000 passengers who were on the Central line this morning were being escorted out of the tunnel, having been there for about four hours. This is the second day running that the whole of the London transport system has snarled up. There is nothing that British Rail or London Underground can do about the activities of the IRA, but there is a lot that they could do about communicating with passengers and letting them know how the system is working, so that people could avoid getting themselves into terrible problems.

Have you had any request, Mr. Speaker, from a responsible Minister to explain to the House what happened on the Central line today and to try to explain why, given so many years of under-investment on the Central line and on London transport, we have reached a stage where London transport is in chaos?

Mr. Speaker: I have not had a request for a statement. It seems to be a good subject for an Adjournment debate. Why does not the hon. Gentleman try that?

Prescription Charges (Exempt Medical Conditions)

3.32 pm

Mr. Gary Waller (Keighley): I beg to move,

That leave be given to bring in a Bill to provide an exemption from payment of prescription charges in respect of any permanent medical condition or ailment.

I hope that the House will give me leave to bring in the Bill for which I am about to make a case. In addition to the various categories of people, such as retirement pensioners, children under 16 and pregnant women, who are entitled to free prescriptions, people suffering from one of a list of medical conditions and disorders are also included. Those conditions include, among others, various forms of diabetes, Addison's disease, colostomy and epilepsy requiring continuous anti-convulsive therapy. However, there is a longer list of permanent conditions, sufferers from which may still be required to pay for vital drugs and medicines. Those include Parkinson's disease, cystic fibrosis, psoriasis, and schizophrenia.

There is no logical reason why some conditions are included while others are not. To give them their due, I do not think that Ministers have attempted to justify the distinction on the basis of logic. When the list of exempt conditions was drawn up in 1968 to coincide with the reintroduction of prescription charges by the last Labour Government, it was argued by medical practitioners that they could agree to exemption only for readily identifiable medical conditions that called automatically for continuous, life-long medication. However, even then the list must have seemed arbitrary and illogical. I wonder how much time since then has been spent by Ministers and their civil servants in responding to patients and hon. Members who questioned the basis for the list.

Those people who do not qualify for free prescriptions but who require regular medication are able to take advantage of prepayment certificates, which are better known as season tickets. That often provides a considerable saving. Furthermore, the Goverment may justifiably point out that, as a result of the present exemption arrangements and of the season ticket system, a prescription charge is paid on less than one item in five dispensed, whereas in 1968 the proportion was close to two in five items dispensed.

Nevertheless, the fact that only a minority of patients have to pay makes it all the more galling for sufferers of disabling and unpleasant conditions, who are given the impression that their complaints are regarded as less significant and are taken less seriously than other complaints which confer exemption. Medical science has moved apace during the past decade and for several conditions, such as Parkinson's disease, drugs are available which can make an enormous difference to the quality of life for sufferers.

As has been repeatedly pointed out, the difficulty is that an extension of the list, although not necessarily costly to the Exchequer in itself, could lead to yet further calls for the boundaries to be moved. I do not think that the fact that change would present difficulties is an overwhelming reason for maintaining the present inertia.

The cost involved in extending the list need not be as great as it appears at first. Many patients will already be exempt from paying charges because they are elderly, because their disability prevents them from leaving home

without help, or because they are entitled to income support. Some of the costs could also be clawed back by altering the arrangements so that prescriptions in respect of medications for ailments other than a specific condition are not free. At present, if people need a prescription because they have influenza or the bad throat from which I am suffering, it does not cost anything if they are exempted by virtue of one of the conditions specified in the regulations. Some people would go further, arguing that any list of exempt conditions is bound to present problems and that it would be better to abolish lists altogether, relying instead on the season ticket system. If that were done, it would no doubt be possible for prepayment certificates to cost a great deal less.

I mention these points because I suggest that almost any system would be better than the present one, which maintains the illogical distinctions to which I referred. Perhaps the principal factor which prevents change is the belief that people are less likely to complain about a system which has been hallowed by time. We require a fresh look at the whole scheme of prescription charge exemptions to assess whether help could be directed more effectively to people who need it.

In bringing forward this Bill today to extend help to sufferers from conditions other than those on the existing list, I hope to demonstrate that there is a consensus which believes that a change sooner rather than later is not only desirable but necessary.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gary Waller, Mr. Jack Ashley, Sir David Price, Mr. Ivan Lawrence, Mr. Tom Clarke, Mr. Peter Viggers, Mr. Roger Sims and Mr. John Hannam.

Prescription Charges (Exempt Medical Conditions)

Mr. Gary Waller accordingly presented a Bill to provide an exemption from payment of prescription charges in respect of any permanent medical condition or ailment: And the same was read the First time; and ordered to be read a Second time upon Friday 15 March and to be printed. [Bill 88.]

Opposition Day

[7th Allotted Day]

Poll Tax

Mr. Speaker: I have selected the amendment in the name of the Prime Minister. I understand that a large number of hon. Members wish to participate in the debate. In a half-day debate I have no means of controlling the length of speeches, but if hon. Members were to stick to approximately 10 minutes each I should be able to call most, if not all, of them.

3.39 pm

Mr. Bryan Gould (Dagenham): I beg to move,

That this House calls upon Her Majesty's Government to bring forward legislation to abolish the poll tax.

The motion invites the House to support a simple proposition. It requires us only to acknowledge what is now widely apparent—that the game is up. The poll tax is now virtually bereft of supporters. There is nothing for it but to acknowledge that a ghastly mistake has been perpetrated and that a new start must now be made.

So that the House can concentrate on that simple point, we have excluded from our motion anything that might be regarded as contentious. We do not argue that the poll tax has proved itself to be hopelessly unfair, though that is now universally admitted. We do not argue that the poll tax has failed to secure the consent of the people and, as a consequence, is widely resisted, though that is now undeniable. We do not argue that it has proved horribly difficult to administer and collect and that the business of maintaining a register has been a nightmare, costing local authorities up to £130 million, according to the local government information unit, as they grapple with 13·5 million changes to the register that affect 38 per cent. of the register in the current year. We do not argue that local government administration, budgeting and delivery of services are near to chaos as a consequence of the poll tax. We do not even argue that the attempt to impose some order on the whole nightmare has meant a perversion of the original rationale of the poll tax. Intervention by central Government to an unprecedented degree has delivered a mortal blow to local government independence.

We do not make those arguments in our motion because they no longer have to be made. They have been established and admitted not just as a result of the attacks on the poll tax by the Government's political opponents —though we should naturally wish to claim some modest credit for that—nor have they been established and admitted by the horrified complaints of local government or the cries of pain from those who have to pay the bills and suffer the cuts in services, though these, too, have all played their part.

The arguments have in fact been made most eloquently by the actions and statements of Conservative Members of Parliament—those hon. Members who stood for election on manifestos that contained commitments to the poll tax, those hon. Members who have been whipped ferociously to ensure their continued support for the poll tax, those hon. Members who, more than anyone else, must recognise all too clearly the political penalties if the poll

[Mr. Bryan Gould]

tax is seen to fail. Yet the condemnation of the poll tax is all the more convincing because it comes from those who were hitherto committed to supporting it.

It comes, first, in the votes cast against the poll tax by Conservative Members of Parliament. No fewer than 66 hon. Members who sit on the Conservative Benches—one fifth of the parliamentary party, one third of the Back Benchers—have defied a three-line Whip and refused to support the poll tax on one occasion or another. They will have the chance again tonight to confirm that decision and to ensure that this time their votes count.

Conservative Members of Parliament have not limited themselves to voting against the poll tax. They have been remarkably fertile in proposing suggestions as to how it could be reformed, amended and changed out of all recognition. Those who have put forward such suggestions have gone well beyond the ranks of the usual poll tax dissidents. Thus, the hon. Members for Spelthorne (Mr. Wilshire), for Wellingborough (Mr. Fry) and for Congleton (Mrs. Winterton) have backed relief for non-working wives. The hon. Member for Birmingham, Northfield (Mr. King) supported relief for those under 21. The hon. Member for Chichester (Mr. Nelson) recommended an extension of the rebate scheme, and the hon. Member for Lancaster (Dame E. Kellett-Bowman) proposed relief for pensioner wives and mothers of young children. The hon. Member for Chorley (Mr. Dover) wanted to extend the rebate taper. The hon. Member for Gravesham (Mr. Arnold) sought help for the owners of empty houses. The hon. Member for Norfolk, North-West (Mr. Bellingham) suggested charging top-rate poll tax payers more. The list is a long one. I could go on for some time yet. No fewer than 43 separate schemes have been put forward from the Conservative Benches to ameliorate the poll tax.

Nor have those hon. Members contented themselves with simply proposing amendments——

Mr. Roger King (Birmingham, Northfield): The hon. Member has listed a catalogue of Conservative Members who have wanted to see some changes in the community charge. Would he care to give the number of his colleagues who have sought to develop an alternative policy?

Mr. Gould: I am delighted to say, in case the hon. Gentleman is unaware of it, that we are in the happy position of being united in support of the policy that we propose, something that I believe the Secretary of State will be unable to boast this afternoon.

Nor have Conservative Members contented themselves with proposing amendments to the poll tax. They have also—usually in the local press—been remarkably quick to distance themselves from the poll tax even when they have demonstrated loyal support for it in votes here at Westminister. Thus the hon. Member for Southampton, Test (Mr. Hill) told *The Reporter and Southampton Guardian:*

"The poll tax has definitely caught Mrs. Thatcher napping—she cannot talk her way out of this totally new policy. It is too much for people to pay".

The hon. Member for Dartford (Mr. Dunn) told *The Independent:*

"The figures have got worse every time they are revised. We have been led down the garden path".

The hon. Member for Shipley (Sir M. Fox), who is or was vice-chairman of the Tory party, said to the *Daily Mirror:*

"We are punch drunk over this. Mrs. Thatcher must change her mind."

Disenchantment with the poll tax now runs wide and deep in the Tory party. I have limited myself to just a small selection of the comments and actions of Conservative Members, but I could equally well have quoted a large number of critics from Tory local government and from the Tory party's organisation and senior staff.

Perhaps the most famous—or should I say the most notorious?—of the Tory party's dissidents is the man who is now Secretary of State. His record in voting against the poll tax is pretty meagre—just one revolt on the question of banding—but he is the undisputed champion when it comes to ideas for reforming and amending the poll tax and changing it beyond recognition. He has been by far the most prolific source of ideas, from requiring councils to submit themselves to a referendum if they spend more than permitted by central Government to surcharging councils in the same circumstances; from halting the withdrawal of the safety net to calculating transitional relief, not according to assumed figures, he tells us, but according to actual figures; and from improving the rebate scheme to exempting student nurses. The ideas have flowed freely.

The right hon. Gentleman's main problem has been that as each idea has bubbled to the surface it has been promptly pricked by a senior colleague. His every idea has been contradicted by senior Tories and on some occasions by a senior Tory called Michael Heseltine. There can be no doubt where the Secretary of State stands: he stands in a fever of indecision. He is assailed by contradictory advice from all sides. He seems to lack the political will or the political skill to persuade his colleagues that any single one of his many ideas could conceivably work.

We know where the Secretary of State would like to stand: at least, I assume that he would like to stand for the abolition of the poll tax. Where he actually stands is a great deal less comfortable—usually on his head and with alarming frequency. So it is that he opposed capping, for very good reasons, and then presided over a major extension of his own capping powers. So it is that he assured us that poll tax would average £380 this year—already a £100 improvement or increase on the similar figure postulated for this year—then immediately conceded, just two days ago, that, in fact, the average will be at least £400. So it is that he proposed to exempt student nurses but has failed to lift a finger to help them or to help other groups such as non-working wives.

So it is that the right hon. Gentleman accepted that the old transitional relief scheme was flawed because it dealt in invented figures, yet has now introduced a scheme with a different name—the community charge reduction scheme—but which is equally flawed because it, too, deals in invented figures. Attached to the very statement in which the right hon. Gentleman misled the House was a list setting out an assumed community charge for every local authority in the country. The consequence is that many thousands of people who have been led to believe that they will benefit from that scheme will find that they are excluded. As the real figures become apparent—in some cases, they are nearly £100 per head higher than the assumed figures—they will find that they have to pay every penny of that difference themselves. Many more thousands will find that the same exclusions that debarred them from the transitional relief scheme will exclude them

from help under the new scheme—if they have moved house or if they live in a household of more than two people.

The Secretary of State has offered little, therefore, by way of immediate relief for poll tax payers whose anger and sense of injustice will be felt even more keenly this time round because of those raised and dashed expectations. Many of them will feel that they have been taken for a ride by the Secretary of State and the Government.

In the long term, too, the Secretary of State falls far short of the decisive action that he promised when he was seeking the Tory party leadership. Instead, he is bogged down in a review whose purpose, timing and outcome remain shrouded in mystery. Even his own Prime Minister seems unsure as to when we can expect the conclusions of this famous review. In advance of a speech to the 1922 Committee, journalists were briefed to the effect that the Prime Minister would undertake that the results of the review would be published before the May elections, but before the speech had even been delivered that briefing had been reversed. All that the Prime Minister will do—he did it again today—is to repeat the fatuous and evident absurdity that of course when the review is completed we will have the results. Perhaps the Secretary of State will clear up that confusion this afternoon.

As to what the review is about, the only clue that we are given is the constant recitation of that curious mantra, "Nothing is ruled in; nothing is ruled out". It would perhaps be more accurate to say that everything has in its time been ruled in but that equally everything has in its time been ruled out. One thing only is clear: any solution that retains the poll tax will surely be unacceptable, not least to dozens and scores of Conservative Members.

Mr. Patrick Thompson (Norwich, North): Is the hon. Gentleman aware that recent surveys have shown that, of all the options that have been advanced by hon. Members on either side of the House and by those outside, the most unpopular of all is the Labour party's proposal, in Scotland, of a roof tax?

Mr. Gould: I am afraid that I must flatly contradict the hon. Gentleman. All the polling evidence that I have seen —and I have seen a great deal—shows that the poll tax is by far the least popular option and that a modernised and fair system of rates is the most popular.

We are told that the Secretary of State is now less enthusiastic about transferring education spending to the central Exchequer as a means of keeping the poll tax down. According to today's edition of *The Times*, another device has now been suggested. Its main purpose is to serve the demands of those idealogues in the Conservative party who will fight to the death to maintain the principle of the poll tax. That solution is said to be a two-tax system—a new property tax to add to a lower-rate poll tax or head tax. That is a nightmare scenario, with all the transitional costs and confusion of moving to a new tax without alleviating the huge administrative burden of keeping the poll tax in place. The problems of the poll tax under such a scheme would not only be retained; they would be doubled—indeed multiplied many times over.

At what level will the new poll tax or head tax be set? If it is set high enough to cover the cost of collection, it will continue to bear heavily and unfairly on those with no income with which to pay it. But if it is set so low as to be a tolerable burden for those with no income, it will cost more to collect than it could conceivably raise in revenue. It is shot through with anomalies.

Floor space is the crudest of measures and bears little relationship to the ability to pay. The addition of an element of personal taxation is a recipe for family discord. It is two taxes dressed up as one—a twin tax torture. It is a head tax and a floor tax rolled into one—a catch-you-at-both-ends tax and a top-to-toe tax. It counts the number of bedrooms in one's house and then adds the number of people who eat breakfast there—a bed-and-breakfast tax. It is doomed to disappoint all those who hoped for a fair and rational system of local government taxation.

My conclusion is that the Secretary of State needs help. To be fair, he has already sought help. His only escape from his dilemma appears to be his offer to others to share his dilemma. His offer of consultation was not, however, all that it might have been. A genuine offer would have been preceded by some informal contact and accompanied by suggestions about a serious agenda, machinery for consultation and a time table.

We have heard nothing from the Secretary of State along those lines. We simply cannot be drawn into a process, the likely outcome of which is that the Secretary of State will say "Thank you for your interesting ideas; we are delighted to see how closely they accord with our own. We are pleased, therefore, that you will support them when they appear in the Tory manifesto". Alternatively, he will say, "Thank you for your interesting ideas. We have now put them through our computers, had the civil servants crawl all over them, and we are sorry to say that they are hopelessly impractical".

The rather naive Liberal Democrat Members now have good reason to know how fully they fell into that trap. We shall not be drawn into a process, the likely outcome of which may still be to prop up the poll tax. That would be to betray literally millions of people who look to the Labour party, above all, to sweep away the poll tax as soon as it gains office. It is here that the Secretary of State needs help, not from us but from his own party. He lacks the will or skill to prevail on his own. As matters stand, the idealogues will force him to retain the poll tax against his better judgment.

Mr. A. J. Beith (Berwick-upon-Tweed): As the hon. Gentleman believes that our local income tax proposals have been afforded a great deal of scrutiny and consultation, will he now say precisely how the Labour party scheme works so that we may know whether it is a viable alternative?

Mr. Gould: Rather than delay the House, I shall recommend to the hon. Gentleman that he should read the full proposals that we published at the end of July.

Our motion provides the opportunity for all Conservative Members who have openly expressed or secretly harboured hostility to the poll tax to ensure that the Secretary of State's hand is strengthened and that a clear message is sent to the Cabinet to the effect that, whatever else is proposed, the poll tax must go. There will be no prospect of sanity and common sense until it has been abolished, and a vote for our motion tonight could end the misery. It would end the misery of local authorities which are caught up in chaos and confusion, the misery of millions of poll tax payers who are worried sick about how

[Mr. Gould]

to pay this year's bills, and the misery of the Secretary of State, who cannot escape the insistence of his colleagues that the poll tax should remain; and, most of all for Conservative Members, their votes tonight would end the misery of the Tory party that arrogantly and mistakenly imposed a wicked and unfair tax and now has one last chance to admit its mistake.

If the Secretary of State will have the courage and honesty to say now what he said so eloquently from the Back Benches, we can sit down and consider sensibly what should replace the poll tax. We are ready: we have published our proposals and put them on the table. The question is now a simple one: will Conservative Members have the courage and wisdom to admit their mistake, set about putting it right, and bring the nightmare to an end?

4 pm

The Secretary of State for the Environment (Mr. Michael Heseltine): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the Government's thorough review of the functions, structure and finance of local government; notes that the Government has provided for a substantial increase in Aggregate External Finance for 1991-92; and welcomes the introduction of the Community Charge Reduction Scheme which will provide £1·7 billion extra help in England for those former rate payers, the elderly and the disabled who have faced the biggest increases in their contributions to the cost of local services.'.

Perhaps the House will understand that the first task that fell to me as Secretary of State in conducting the review with which the Prime Minister entrusted me was to look at the issues that could be immediately addressed in the context of the settlement for the next financial year. The House will be all too familiar with the constraints that the need for primary legislation to change the existing framework imposed on any review. There were bound to be specific sectors of concern and I shall say a word or two about a number of them, particularly the liability of service men in the Gulf, in the light of recent legal decisions.

I know that many hon. Members are concerned about the service men and women in the Gulf and their treatment with regard to the community charge. In an earlier debate, I promised to provide further guidance on that subject. It is likely that last Thursday's judgment in the Anderton case, dealing with the sole and main residence of a merchant seaman, has implications for the advice that we gave local authorities last November, and which we would have updated in the further guidance. We have yet to receive the final terms of the High Court judgment, and yet to consider the full implications.

In our view, service personnel and associated civilians posted to the Gulf should not have to pay the personal community charge during the period of their posting. If detailed study of the judgment shows it to be necessary, we shall take appropriate steps to ensure that they do not have to do so, either by legislation or by other means. I am grateful that the Opposition have already made it clear that if we do take such legislation, we shall receive their support.

Mr. Gould: I happily confirm our earlier assurance. Will the Secretary of State make it clear that the dispensation he mentioned will apply to all service men and women, irrespective of where they are based in the Gulf and will extend, particularly, to merchant seamen? Will he also make it clear that the Government will recompense local authorities for any loss of revenue that they suffer as a result?

Mr. Heseltine: The assurances that I have given apply to all those involved in the military endeavours in the Gulf, and I announced on an earlier occasion that it applies to auxiliaries as well as to the professional services. However, it does not apply to those who are engaged in the normal pursuit of their careers as merchant seamen. We are dealing with people who are involved in the Gulf endeavour and I must carefully ring-fence that particular arrangement.

Mr. Gould: It is important that we should try to make this point clear, because many thousands of merchant seamen and their families will want to know the answer to this question. Is the Secretary of State excluding merchant seamen as a category, or does he accept that some merchant seamen will be present in the Gulf in a supporting role to the military effort and they will be included in the scheme?

Mr. Heseltine: Of course, if they have been involved in the Gulf as a consequence of Gulf activities, they will come within the assurances that we have given. In what I said earlier, I was referring specifically to merchant seamen pursuing their normal activities. They would not come within the context of the announcement that I have made.

The second issue about which I am concerned—and this covers a point raised by the hon. Member for Dagenham (Mr. Gould)—relates to those local authorities where service men represent a significant proportion of their charge payers. Those authorities face a drop in their community charge income when troops are sent to the Gulf. My hon. Friend the Member for Aldershot (Mr. Critchley) has raised that issue with me extremely forcefully and he in particular made representations about the effect on the authority with which he is concerned. We have therefore announced this afternoon a scheme to provide grants for the authorities most affected to compensate them for loss of income. I know that that extra Government help will be warmly welcomed in the areas concerned.

Mr. Gould: I am sorry to bother the Secretary of State again on this point, but it is important that we get it as clear as possible. The phrase that the Secretary of State just used was a little opaque. He referred to grants to cover the authorities most affected. Is he not prepared to make it clear that, as a consequence of this scheme, he will recompense every authority for all loss of revenue suffered?

Mr. Heseltine: I do not believe that my statement was opaque. Some authorities have very limited numbers of service men within their areas and they would not be outwith normal movements that one would expect in normal circumstances. We have introduced a scheme to deal with authorities in which a significant number of local inhabitants have been moved as a result of troop dispositions. I have no doubt that once the details of the scheme have been examined, and in the light of

consultation with the authorities concerned, the House will be satisfied that we have dealt with the matter effectively.

Mr. Julian Critchley (Aldershot): My right hon. Friend will be aware of the sense of relief felt by service men who are serving in the Gulf and their families and by the electors in places like Rushmoor, which is Aldershot and Farnborough combined, who faced a notional additional charge of £14 a head. My right hon. Friend knows that he is always welcome in Aldershot and never more so than when he comes to speak to the local Tory party in May.

Mr. Heseltine: On that occasion I shall be able to explain to the electors in that constituency that, were it not for the persistent pleas of my hon. Friend, they might not have gained the benefits that I have announced this afternoon.

I announced the details of the community charge reduction scheme some time ago and I am the first to recognise that, as it must take into account the level of the community charge that is set for next year, it is not possible in advance of that to be precise about the exact quantification of benefit that will flow to individual charge payers in each local authority. However, it is possible to identify the indications, and examples can be given in general terms.

In gross terms, about £1·7 billion will go to more than 18 million people in England. When we turn that sum of money into individual cases, it will be clear to anyone who has made the calculations that a couple living in a previously averagely rated house in Lancaster, for example, could see a reduction of nearly £300 in their joint liability next April if their local authority sets its community charge at the same level as this year. We have a very important responsibility to bring home to large numbers of people precisely how much help will be available. I know that all my right hon. and hon. Friends will take it specifically on themselves to spell out locally exactly what that means.

Mr. D. N. Campbell-Savours (Workington): Does the Secretary of State recognise that the nightmare of the poll tax has meant that hundreds of thousands of young people —some in my constituency—are refusing to pay? Does he recognise the implications of driving that number of young people into illegality? Should not some special concession be introduced? Are those people to remain in debt for many years to come? They form a sensitive age group.

Mr. Heseltine: The hon. Gentleman is fully aware that the provisions in legislation cover the age groups to which he has referred. There is no way in which they can be excluded in the absence of primary legislation to deal with the issue. All over the country, many young people recognise the force of the law and are paying their bills. Those who are not paying are, doubtless, fully aware that some Labour Members are encouraging others not to pay. There is no justification for individual hon. Members to assume that they are above the law of the land.

Several Hon. Members *rose*——

Mr. Heseltine: You have asked us to make progress, Mr. Speaker. This is a short debate and many hon. Members wish to speak.

Several Hon. Members *rose*——

Mr. Speaker: Order. I support what the right hon. Gentleman has said. Many hon. Members wish to participate. Some of them now seek to intervene. That will not help their chances to make speeches later.

Mr. Heseltine: The community charge reduction scheme does not, as I have said, apply only to many people in general. Specific additional relief has been give to those living in sheltered housing. That is additonal to the scheme that we announced for poll tax payers generally. In addition, we were able to exclude certain people who were living in property that came within the definition of "charitable". The scheme was the first response of the review. It is a comprehensive scheme which will bring significant benefits to many millions of people. It was, perhaps, in advance of the expectations of what we might do in such a short time. Perhaps the indignation of the hon. Member for Dagenham is a sign of his growing awareness of just how many people are likely to benefit from what we have already done.

The hon. Member for Dagenham also questioned me about the review. It has been under way for only a few weeks and it would have been wholly unrealistic to assume that we would come to conclusions about so complex a matter in so short a time. We have made significant progress in a wide range of detailed examinations into function, structure and finance. We have now reached a point where we are able to begin to decide those options with which we may not wish to proceed. As I said recently to the House, I hoped that by April, I should be able to narrow the focus of attention—*[Interruption.]* I find it extraordinary that I am urged by the Opposition Front Bench to speed up the review, yet the moment I agree to do so there is a baying of indignation from Labour Members. They are obviously frightened that we might do just that and that they will not be pleased with our conclusions. The Opposition will not deter us from moving on with the expedition that the matter requires.

Anyone who has the slightest doubt about the real views of the Opposition and about the timing involved in such a complex matter may have had the chance to listen to the hon. Member for Dagenham speaking on the "World This Weekend" last Sunday. When asked about the whole question of timing, he answered:

"what we propose is that we should deal with the problem in stages—that it's futile to think that we can achieve all that is necessary overnight."

However, when the hon. Gentleman comes to the House, he assumes that the Government can do precisely what he said could not be done. It is entrancing to note the speed with which the hon. Member for Dagenham has moved his position. I remind him of what he said about a year ago, when he was involved in this review—*[Interruption.]*

Mr. Campbell-Savours: What did the right hon. Gentleman say at that time?

Mr. Heseltine: If the hon. Gentleman is not careful, I shall tell the House what Labour Members were saying a year earlier than that. That makes the position even more complicated. When the hon. Member for Dagenham was asked about this complex business, he said:

"we are making very good progress with the work that we have undertaken to prepare our alternative . . . We have every confidence that in the coming months we shall reach a conclusion that we shall be able to bring forward with confidence."—[*Official Report*, 18 January 1990; Vol. 165, c. 438-39.]

[Mr. Heseltine]

Two months later he was asked who would pay under Labour's new system, to which he replied:

"that's the one issue we have yet to decide . . . We will reach a decision very shortly."

He said that on 27 March 1990, but we still have no idea who will pay under Labour's proposals.

Mr. Gould: The Secretary of State cannot be allowed to get away with that complete misstatement. I am disappointed—if it is the case, since the right hon. Gentleman has a reputation for not reading his papers—that, as we published a full statement of our proposals in a document entitled "Fair Rates," which I passed across the Dispatch Box at the end of July, he has not yet read that statement. Not having read it, he will not necessarily have understood our proposals. I recommend him to read the paper because in it he will find the answers he seeks.

Mr. Heseltine: The hon. Gentleman is helpful in inviting me to go on giving what he must regard as uncomfortable quotations, for, although he tries to say what he would like us to believe, he gave a much clearer indication about a month after making the statement that I quoted last, when he said—

Mr. Campbell-Savours: What did the right hon. Gentleman say when he was on the Back Benches?

Mr. Heseltine: As the hon. Member for Dagenham interrupted me to say that I had misquoted him, I am surely in order in trying to put the record right. He said that people would be given

"plenty of information in good time so that they will have some idea of what the relative size of their bill will be."

Labour's "Fair Rates" document was published in July 1990. It outlined a range of proposals for a property tax, but it gave no indication of how much anybody would pay.

What I found most revealing about the remarks of the hon. Member for Dagenham this afternoon was that he criticised the Liberal party for being prepared to talk to me, when he was frightened that his proposals would be put through the computer and that the facts might emerge. So now we know that at least the Liberals have a policy in which they have confidence, that the Scottish Nationalists and Welsh Nationalists have policies in which they have confidence, but that the Labour party has a policy in which it has no confidence—*[Interruption.]*—and that has been revealed all too clearly.

Mr. Richard Tracey (Surbiton): My right hon. Friend's proposals for relief for those who have been hit by the community charge will be most welcome. Does he agree that the most important question now for the occupants of the Labour Front Bench is whether they will condemn those in the community who are refusing to pay the community charge, in particular Labour Members who are law-breakers?

Mr. Heseltine: My hon. Friend is of course—

Ms. Dawn Primarolo (Bristol, South): On a point of order, Mr. Speaker.

Mr. Speaker: I shall call the hon. Lady to raise a point of order in view of a misunderstanding that occurred earlier.

Ms. Primarolo: During Prime Minister's Question Time, I asked a question—*[Interruption.]* I urge Conservative Members to listen for a moment. They should calm down. I asked a question about the extension to other deserving cases of the poll tax exemptions. In the baying and braying that goes on during Question Time, the Prime Minister said that I had not paid my poll tax. Unfortunately for the right hon. Gentleman, he was wrong in that statement. For the future, may I urge all right hon. and hon. Members who utter such comments in the Chamber to check their facts?

Mr. Speaker: I allowed the hon. Lady to make that point of order to put the record straight because I believe that most of those in the Chamber at the time took her nod to be a negative, but it was evidently a positive.

Mr. Heseltine: Let me say at once how much I admire the hon. Lady for having complied with the law. Although I am not saying that she feels exactly as indignant as I do about the fact that so many of her right hon. and hon. Friends have not paid their poll tax, I must advise her that the only effect that that can have is that her constituents will be likely to find their costs rising because others do not pay.

I return to what has now been so clearly revealed about the difficulties of the Opposition in this matter. It should not be a great surprise to my hon. Friends because when the hon. Member for Birmingham, Perry Barr (Mr. Rooker) was responsible for the Labour party's local government policies, he described his party's dilemma with admirable clarity when he said:

"I'm saying to the NEC policy makers, I'm saying 'Hang on a minute, what's our policy on local government? . . . Putting it at its boldest, we haven't got a policy, that's the actual truth".

Time has marched on, but the policy making has not.

Mr. Jeff Rooker (Birmingham, Perry Barr) *rose*——

Mr. Heseltine: The hon. Gentleman has popped up, so I shall give way to him.

Mr. Rooker: The Secretary of State should make it clear that he is quoting from an article in *The Independent* of September 1987, which was true because our consultation process and policy formulation on local government had been interrupted during the general election. The article then stated—the Secretary of State will not have the guts to read this out—that my party was being the more honest about local government by admitting that we were going back to square one to look for a better way of funding local government.

Mr. Heseltine: The hon. Gentleman has made my point. There is a gap, a ravine, between us, but this process takes time. The difference between the Government and the Opposition is that we shall reach conclusions that people will understand, but, three years on, the Opposition still have not done so.

Mr. Campbell-Savours: On a point of order, Mr. Speaker——*[Interruption.]*

Mr. Speaker: Order. What is the point of order?

Mr. Campbell-Savours: May I ask you, Mr. Speaker, to read the motion and the amendment that are on the Order Paper? Will you ensure, as you normally do, that right

hon. and hon. Members keep to the motion and the amendment? The Secretary of State is debating a matter that is not on the Order Paper.

Mr. Speaker: The Secretary of State is addressing himself to the Government amendment.

Mr. Heseltine: By this time, I am sure that the House is beginning to share my acute anxiety for the hon. Member for Dagenham as he finds himself——

Mr. Alistair Darling (Edinburgh, Central) *rose*——

Mr. Heseltine: No.

The hon. Member for Dagenham is now facing increasing difficulties defending the position of Labour authorities which consistently overcharge at local level. As the House knows—because I have read it into the record previously—we now have the clearest indication that in all classes of local authority—the London authorities, the metropolitan districts, the shire districts, and in England as a whole—the fact is that, when stripped of the safety net, Labour authorities consistently set higher poll tax charges than all other political parties. The evidence is not only a matter of history—the evidence is there for the coming year. This week's *Municipal Journal* gives the figures for the counties. Only three of the 22 counties that are controlled outright by the Conservatives or by the Conservatives in conjunction with other parties have set their budgets above their SSA, whereas all but three of the 13 authorities where the Labour party is in charge or in joint control have exceeded the level of their SSA. Again, it is the old, old story——

Mr. Geoffrey Lofthouse (Pontefract and Castleford) *rose*——

Mr. Heseltine: No.

The next difficulty for the hon. Member for Dagenham is that, in order to justify his talks, he has to talk in terms of cuts when all hon. Members are fully aware that there are no cuts. The Government have been responsible for injecting an additional £4·25 billion of central support to keep down the level of charges this year. If the Labour party claims to be fit to be the Government of this country, it ought to tell the people just how much above £4·25 billion it believes that a national economy can stand in any one year. But it cannot do that.

The next argument with which we are all too familiar is that all the changes bring about dramatic cuts. There is an annual ritual of claiming that cuts will have to be made. Yet time and again the anticipated cuts that we hear about do not materilise when the budgets are set. Last year we were told that the Government's proposals would have the most serious implications in many authorities; but charges broadly within acceptable levels were introduced and the cuts disappeared. Economies were found without great difficulties.

The hon. Member for Dagenham has now taken to suggesting that the assumptions on which we based the community charge reduction scheme were ill founded. He suggests that we are working on some notional calculation, as opposed to the actual calculations on which the scheme is based. He managed to put out a document which suggested that 26 authorities are in significant excess of the figures that we estimated. My right hon. Friend the Member for Bath (Mr. Patten) said that if local authorities set their charge in line with the Government's assessment of what they needed to spend, the charge would be £380. The list published by the hon. Member for Dagenham included 26 authorities, 13 of which had set their charges at £380 or, indeed, less. The hon. Gentleman reveals clearly that he has not understood the essence of our announcement.

Dr. Lewis Moonie (Kirkcaldy): On a point of order, Mr. Speaker. As the Secretary of State is speaking, three of his hon. Friends have fallen asleep. Will you ask the Serjeant at Arms to check the ventilation in the House to find out whether it is detrimental to the health of us all?

Mr. Speaker: That is one of the common accusations made in this place. Sometimes when there is some noise, hon. Members lean their head sideways towards the amplifiers.

Mr. Heseltine: The hon. Member for Dagenham failed to understand that we took as the basis of our assumptions the actual community charges for the current year but that we had to adjust them to take account of the safety net. It is obvious that we would not have established a community charge reduction scheme in which the safety net was included. So we adjusted the figure for the actual charge, net of the safety net. In some cases that meant that we increased the assumption on which the benefits are provided. It is apparent to anyone who examines them that the figures produced by the hon. Gentleman show that our assumptions are largely accurate. The figures for the list of authorities support everything that we have said, even on the hon. Gentleman's calculations.

Mr. Kenneth Hind (Lancashire, West): Does my right hon. Friend agree that one fundamental thing which the British public understand is that any fool can spend money but that it takes a lot more ability to spend it well and that that is what local authorities should do? If he takes the opportunity in his busy day to examine Lancashire county council, which is Labour controlled, he will find that the authority commissioned a report from the consultants P and A, who advised it that its social services were expensive and badly delivered and recommended a series of alterations to the service. The authority totally neglected those recommendations and a poor service to the public is continuing as a result. That authority continues to increase its spending well above the rate of inflation. Perhaps not only my right hon. Friend but the voters of Ribble Valley will take note of that.

Mr. Heseltine: I have not the slightest doubt that my hon. Friend is right in saying that well-managed Conservative local government is much more likely to give value for money to its electors and will continue to do so.

The last area of increasing embarrassment is the failure of the hon. Member for Dagenham to take part in the consultation process to which we have invited him. Undoubtedly there was a chance there for the Labour party to measure up to the responsibilities of a national party genuinely interested in a constructive debate. I could not have asked for greater evidence of its reasons for doubt than the speech by the hon. Member for Dagenham who said that he did not take part in consultations because he was frightened that we would put his figures through the computer. That is the greatest giveaway of all time. He will not put his figures through the computer because he does not know the implications of the scheme on which he is campaigning.

[Mr. Heseltine]

The hon. Gentleman blames us for taking our time in a thorough review to get these matters right. We will take what time is necessary for that comprehensive review and will come forward with policies which we believe are right and on which we can secure the support of the British people. We will not fall into the Labour party trap of producing words without facts to underline them. It is quite apparent that the Opposition are more interested in raising the anxieties of the British people than in contributing to a constructive debate. That is why my right hon. and hon. Friends will vote against the motion.

4.31 pm

Mr. Peter Archer (Warley, West): Notwithstanding his robust peroration, I hope that the Secretary of State for the Environment will forgive me when I say that he was rather longer on history than on contemporary facts. In a lengthy career in the House, I do not recall a Minister making it clearer that he had been given a distasteful brief, that he was speaking to a case which he found difficult to argue, and that altogether he would have preferred a different job if one had been on offer.

I propose to follow the Secretary of State in not referring to any of the facts of higher national finance, but I shall do so for a rather different reason. I want to tell a simple parish-pump story because the poll tax is about parish pumps. At this time of year, most councils consider their budgets for the forthcoming year. The rate of tax in Sandwell in the west midlands was announced at the end of last week. It will be £459—an increase of £36 over last year.

Colleagues and I who know Sandwell have spoken many times in the House about its problems. By any possible criterion and on any possible perception, it has more than its fair share of problems. It has all the difficulties of an inner city, although an accident of history has meant that it is not an inner city and so has missed much of the help that would otherwise be available. The increase in poll tax will not be warmly welcomed by the people of Sandwell. The blow will not be cushioned when they discover that even that figure has been achieved only by the imposition of further cuts in public services.

I shall offer the Secretary of State a few facts about Sandwell in case he is not as familiar with them in his new job as he may be later. He will not be surprised to learn that the amount available from Government grants and industry taken together, the jargon for which is aggregate external finance, has increased by 8·7 per cent. The gratitude of the people of Sandwell is tempered a little by three reflections. The first is that inflation is running at 10·5 per cent. The second is that that increase did not come from the Government at all. In fact, total Government grants, in absolute terms, have decreased. In the forthcoming year, the figure will be £200,000 less than that for the current year.

The whole increase, plus the deficiency that had to be made up, came from the uniform business rate. Not a day passes when I do not receive correspondence from business men in my area saying that there have never been so many businesses calling in the receiver, that never has unemployment in Sandwell risen in such a way. In December of last year unemployment in the west midlands rose by 8·8 per cent. Business men are saying, "Here we are, having to look at all our overheads in order to be able to stay in business, yet we are making payments for which councils might otherwise have looked to the Government."

For the Secretary of State, the good news—if the absence of bad news can count as good news—is that the poll tax rate that has been set has been achieved because, in the forthcoming year, poll tax payers in Sandwell will not pay a contribution of £26 per head by way of relief for more affluent areas. Over the last 12 months their hardship was aggravated by the fact that they were contributing to the safety net—something that, traditionally, has been regarded as the responsibility of the Government.

The third reflection is that the figure has been increased as a result of provision for people who have not paid. This afternoon we have heard a little from the Government side on that theme. At present the non-collection rate in Sandwell is running at 25 per cent. That does not indicate a lack of enthusiasm on the part of the council to collect; indeed, it is despite a sequence of reminders, final notices, summonses, liability orders, seven-day letters and information requests. Admittedly, some of the people who have not paid are those who are always prepared to take a free ride. Every area has a number of such people. Furthermore, some people are using non-payment as a means of protest. As my hon. Friend the Member for Dagenham (Mr. Gould) said, the Government have succeeded in turning people who are normally law abiding to the point of conformism into people who are prepared to go outside the law as a means of protest.

Mr. David Wilshire (Spelthorne): Will the right hon. and learned Gentleman give way?

Mr. Archer: I shall give way in a moment, but, lest the hon. Gentleman forestall the point that I am making, I shall first complete it.

I hold no brief for those who are refusing to pay. I believe that the impact of their protest is felt not by the Government but by their own neighbours in Sandwell.

Mr. Wilshire: Will the hon. Gentleman make it absolutely clear that the free riders whom he denunciates include his hon. Friends who are setting a bad example by breaking the law and thereby indicating that the Labour party believes in law breaking?

Mr. Archer: Of course I am happy to make that absolutely clear. I have already said that I hold no brief for those who do not pay their poll tax. But the hon. Gentleman has failed to notice that I made a distinction between free riders and those who, as a mistaken form of protest, choose not to pay their poll tax. The two categories are not necessarily the same. One of the tragedies is that people in my area who, two or three years ago, would have been horrified at the suggestion that they might go outside the law are now doing exactly that because they think—misguidedly, I believe—that that is a proper form of protest. This is not a record of which any Government ought to be proud.

Mr. Brian Wilson (Cunninghame, North): I am sure that my right hon. and learned Friend would wish to include in his perfectly correct denunciation of the non-payment campaigns an interesting movement which is growing in Scotland and which will undoubtedly be seen in the south before very long. I refer to the Tory non-payers —leading figures in the Conservative party, holding office

bestowed by the party, who are inciting Tories in Scotland not to pay that portion of the poll tax that they believe to be due to non-collection. In so doing, those people make no attempt to differentiate, as my right hon. and learned Friend rightly does, between wilful non-payment by people who are perfectly able to pay and the vast majority of non-payment, which is endemic in the tax itself. Will my right hon. and learned Friend join me in condemning the Tory non-payers? I am sure that he would like to hear from the Government Front Bench a denunciation of that form of non-payment.

Mr. Archer: I am grateful to my hon. Friend. I could show him letters from my constituents who say that they have always voted Conservative but do not intend to pay the poll tax, and the reply that I send to them is precisely the same as the one I send to everyone else.

Mr. Dafydd Wigley (Caernarfon): Does the right hon. and learned Gentleman accept that many hundreds of thousands of people who cannot pay and who do not go to court are the very people who should go to court and have someone to speak on their behalf? Of 1,000 cases in Caernarfon last Tuesday, only 40 were present and they were people who refused to pay as a matter of principle and who sought to make their views known in court. Those issues need to be heard in court.

Mr. Archer: The hon. Gentleman has forestalled something that I was about to say.

The majority of those in Sandwell who have not paid do not fall into either category—the free riders or the protesters. They are people who, as the hon. Gentleman said, cannot pay. Hardly a surgery passes when I do not have someone in tears because they have never failed to pay a debt, they have never owed a halfpenny, but they do not know how they will pay their poll tax. Every post brings letters to the same effect.

The council must draw a sensitive line between enforcing payment and adding to the hardships of those who already have too many. It may be because councils are reluctant to enforce the poll tax where they know there is hardship that we do not hear about such cases.

In the coming year Sandwell council will have to make allowance for those who will not pay——

Mr. Matthew Taylor (Truro): Is the right hon. and learned Gentleman aware of the appalling situation of some of those in receipt of benefit who see money diverted to the poll tax leaving them on a low level of support after they have paid what is necessary by way of rent, the poll tax and so on? Many who are paying the poll tax find themselves in abject poverty in the process.

Mr. Archer: It is not always those who have not paid their poll tax but those who have who pose the problem. If time permitted, I would have elaborated on that, but Mr. Speaker has enjoined us to be brief.

Many now qualify for some transitional relief, and I hope that some of the ill-thought-out anomalies with which we have lived for the past 12 months are being ironed out. I wrote to the Secretary of State, as he may remember, about a student in my constituency. When that student was at school, his family received child benefit. He finished school on 5 September and began a course at university on 3 October. At that time, he qualified for relief. For all common-sense purposes, he had been in full-time education throughout, but because the poll tax is calculated on a daily basis, during that month neither he nor his family received any relief.

The Secretary of State sent me a kind reply to my letter. I do not know whether it will assist the right hon. Gentleman with his party, but his letter was rather warmer than might have been wise. However, I shall not publish it in detail. But the right hon. Gentleman admitted that that case represented an "administrative untidiness". He said:

> "Should the opportunity occur in the future, we will carefully consider what can be done to simplify this area of legislation."

I hope that he and his hon. Friends will do exactly that. But we are not asking for simplicity, although, in any administration, that is devoutly to be wished for. We are asking for justice. Many anomalies need to be ironed out.

In the coming year more will qualify. But, as the criterion adopted by the Government depends on former rate bills and when people last moved, most hon. Members will have a succession of callers at their advice bureaux asking why they are paying more than Mr. So-and-So when there is no real difference in their financial positions. That is the irony of the situation.

Sandwell council calculates that 80 per cent. of families in the area will qualify for some form of transitional relief. That is the ultimate confession of confusion. Any burden imposed by a Government should be flexible and make provision for those who cannot bear it. There will normally be some exceptional cases, but if those exceptional cases amount to 80 per cent. that amounts to the logic of "Alice through the Looking-glass". It is an admission that the general principle is in chaos.

The council has been realistic in recognising that, despite all its effort, it is prudent to make provision for a 10 per cent. non-payment during the current year and next year, and that has added £60 to every poll tax payer's bill. That will cause resentment, which I for one certainly understand. However, I suspect that that resentment may sometimes be directed at the wrong people. If it were directed at the right people, it would be directed at those who introduced the scheme. But it certainly will not make for that harmonious community for which many of us have worked so hard for so many years.

The final fact of which the Government should be aware and with which the residents of Sandwell will have to live is that the figure of £459 has been achieved only by cuts in local services. The Government have attempted to raise unrealistic expectations by referring to an average poll tax of £380. That is a cruel joke because they must have known that for most councils that would have entailed further cuts, and it would have assumed 100 per cent. collection, with no non-payers. Last year the Government indicated expectations in Sandwell which, had they been implemented, would have entailed a 10 per cent. cut in teaching staff, a reduction in street cleaning and lighting, a cut in the warden service for the elderly, the end of catering concessions for senior citizens, the closing of every public convenience in the borough and many other privations.

The council did not encompass so draconian a solution, but it did have to impose substantial cuts last year. A further reduction of £1·8 million will be required this year in the education budget, a 3 per cent. cut in technical services, further job losses by council employees in an area

[Mr. Archer]

where job losses are already increasing and where there are more than enough, and there will be further complaints that the quality of life in Sandwell has fallen yet further.

I have some sympathy with the position in which the Secretary of State finds himself, and I can well believe that other problems exist which he would prefer to address. But there is only one way to rectify this position—a confession that the whole concept of the poll tax was a ghastly mistake and to listen to what Opposition Members have been saying for the past two years.

4.49 pm

Sir William Shelton (Streatham): I want the House to hear me on behalf of my constituents who live in Lambeth. This is indeed a cry from the heart. The right hon. and learned Member for Warley, West (Mr. Archer) has described the stress that is caused to his constituents. I wish that in Streatham we had the problems that he seems to have in Warley, West.

In my constituency the community charge is capped at £521 per head. The anxiety and the despair of people who are driven to break the law for the first time in their lives can be imagined. Their despair springs from the introduction of the community charge, but by heavens, it is aided and abetted by the incompetence and gross overspending of Lambeth council.

As to incompetence, the low recovery of community charge in Lambeth is not so much due to refusal to pay, although the leader of Lambeth council has announced that she has refused to pay; it is more due to the incompetence of the council. By the end of August, 39,000 bills had not been issued. By the end of November, 13,000 bills had not been issued—let alone reminders. I am talking about the initial bills. The chairman of my Conservative association has still not received a demand; I cannot believe that that is because of political favouritism. By mid December, £32 million out of an expected total of £64 million had been recovered—a recovery rate of 50 per cent., not so much because of refusal to pay but because many people had not received bills. That shows gross incompetence.

I shall give the House two small examples. A constituent wrote to me:

"Unfortunately the situation has become rather out of hand with payment books arriving on a daily basis. To my knowledge we are now in receipt of at least 18 different booklets, all requesting different amounts."

Mr. Wigley: That is not uncommon.

Sir William Shelton: The hon. Gentleman clearly lives in Lambeth.

There is a block of 10 flats in my constituency with an address of 76 such-and-such road; I will not name the road. One letter arrived from the council, addressed to "The Occupier", with one community charge form in it —another example of inefficiency.

The council is guilty of gross overspending. The spending forecast, as far as I know because it is difficult to find the figures, is £345 million for 1991-92. The capping level is £307 million, so there is a gap of £38 million. That is despite a very generous settlement; total external support from the Government is £268 million, the highest settlement of all inner and outer London boroughs.

In addition, it is calculated that further provision will probably have to be made for such things as bad debts and the ending of the pension fund holiday which the council has been running for some years. The gap will probably be over £50 million which, uncapped, would give a community charge not of £521 but of about £800. Of course, I expect the charge to be capped, but how can one cap a borough and remove £30 million from its expenditure, let alone £50 million, and still give my constituents adequate services? I do not see how the circle can be squared. I support we shall win a compromise. The community charge will be £600, £550 or £650, and once again services will get worse.

Mr. Wilson: I have listened to the hon. Gentleman with great interest and sympathy. He has been informative about conditions in Lambeth. Will he acknowledge that in other parts of the country it is possible for the poll tax to rise by 30 to 35 per cent. and at the same time for cuts of tens of millions of pounds to be made, not because of incompetence or the non-issue of bills, but because of the mechanism of the poll tax and particularly its gearing effect, which means that everything is piled on to the poll tax because the local authority has no control over any other source of revenue? I am happy to accept what the hon. Gentleman has said. Will he accept what I say?

Sir William Shelton: I accept entirely what the hon. Gentleman says. The poll tax is highly geared, but I must tell the hon. Gentleman that when my constituents in Lambeth look around, they look to Wandsworth next door, which rides along with a poll tax of £148. The services there are better. I hear that Wandsworth will have a vast explosion in its community charge next year to something like £170. That is the direction in which my constituents look.

I welcome very much my right hon. Friend's community charge reduction scheme. I spoke to the private office of my hon. Friend the Member for Enfield, Southgate (Mr. Portillo) which was very helpful. As a result, I issued a press release containing figures which I am sure are right because they were given to me by his office. Two community charge payers living in the same place since March 1990, on average rates, will receive between them £470; that will rise to £730. That is very much to be welcomed, and I am grateful for it. Clearly that cannot be a long-term solution, as the right hon. and learned Member for Warley, West said. One cannot go on paying such amounts year after year.

What is to be done? I know that my right hon. Friend is very much enmeshed in the matter. Indeed, I wrote to him in December. The proposition which I put to him was for a minimum community charge plus some form of property tax. However, on reflection, I realise that a minimum community charge would cost the same to raise as the present community charge; I understand that the collection cost runs at 3 per cent. If the community charge was knocked down to an average of £100 or so, the cost of collection would be outrageous.

I read today's report in *The Times* with great interest. Whether it is true, I do not know. The House knows what is suggested—a property tax by floor area plus a personal premium. The hon. Member for Dagenham (Mr. Gould), who is no longer in his place, was very rude about it, but I like it. I would certainly support it; indeed I will not conceal from my right hon. Friend that I would support

almost anything rather than the community charge. I like that proposal because it still has a measure of accountability and I warmly welcome it, if it is true.

However, neither that proposal nor a local income tax would solve the problem of my constituents due to the incompetence and overspending of Lambeth council. For instance, if we had a property tax with a personal charge, I guess that a one-bedroom or studio apartment in Lambeth would have a tax of £2,000 a year. I do not know what the charge would be, but it would be outrageous.

If I may give my ideas, gained from what I might call the Lambeth experience which I have endured for some years, I would urge on my right hon. Friend—I know he has this in mind—to seek major reductions in local government provision. It is wrong to draw conclusions from a single experience, but my experience has led me to doubt the efficiency of local government. Hon. Members may have very efficient local government in their areas, but that is not the case in Lambeth. Reductions in provision simplify the duties and ask less from local government.

I ask my right hon. Friend to agree with our right hon. Friend the Member for Brent, North (Sir R. Boyson) and to make schools grant maintained, controlled not by Whitehall, but by the schools. Incidentally, there is something in that because there is a rumour in Lambeth that the council intends to raid the budget for other purposes. The SSA for education is £125 million, plus the transitional grant of £6·3 million, making £131 million. I am told that Lambeth is seeking to set an education budget of £111 million and wishes to use the rest perhaps to make the area more nuclear-free, or something like that.

Cannot we reduce the responsibilities placed on these local councillors who have a job to do, most of them in their spare time? Lambeth employs 19,000 people. How can anyone employ 19,000 people in their spare time? What about local government social services? I understand that there are two or three experiments in which a trust has been set up to run the local social services. Perhaps this could be looked at. There are also the police, fire and ambulance services to be considered.

My constituents are genuinely in real need and I feel deeply concerned about it. I seek help for them from my right hon. Friend and from the Government. I ask them to lift from my constituents the burden that they are suffering, placed upon them by Lambeth council.

5.2 pm

Mr. Matthew Taylor (Truro): I do not entirely agree with the hon. Member for Streatham (Sir W. Shelton) when he says that almost anything would be better than the present poll tax, but we Liberal Democrats have some sympathy with that view. The only thing I would say to him is that if one were to cut the services that councils are required to provide there is always the risk that one ends up paying for nothing but bureaucracy and inefficiency, and that might be even less popular. One of the ways in which local authorities can be controlled is to make them more democratic and, while I have heard many arguments advanced against electoral reform nationally, based on strong government, I find it hard to believe that it would not help the situation—at least of many local authorities where extremists gain control—if there were a measure of electoral reform.

However, the substance of this debate is opposition to the poll tax and the great unanswered question in this debate so far has been what the alternative should be. That was resonant in everything that right hon. and hon. Gentlemen, including the Secretary of State, said. That is the background brief to what they are saying—small changes now in the hope of better things to come, but no decisions on what that means. There is an irony here, because in Committee the Government and the Liberal Democrats both had something to put forward. Now it is only the Liberal Democrats. The Labour party failed to come up with any alternative during those long debates. Again, the Labour party's inability to play the role of an Opposition and to provide an alternative, not simply to oppose, was exposed for all to see. It has shown that in today's debate again—*[Interruption]*—even though Labour Members may say "nonsense". The fact is that not only did the hon. Member for Dagenham (Mr. Gould) fail to give a single indication of the Opposition's alternative, but the most recent articles that they have published on this, while going into fine detail on the difficulties involved, the lack of information before taking up government, and all sorts of other excuses, failed to give any idea of what people would have to pay under the Labour party's system. Without that it is impossible to believe that the Labour party can claim to be putting forward a credible alternative.

The debate needs answers to two simple questions. First, when will the Government abolish the poll tax? Secondly, what will be put in its place? Dissatisfaction with the poll tax was widespread long before the measure was even passed. It was widespread within the Conservative party as well as outside it, although Conservatives allowed it to go through. Now that people have had a year of paying the tax, the resentment and hatred of this unfair burden goes much deeper than even the Secretary of State realises. He in particular must finally realise what everyone else knew from the beginning—that the poll tax is unworkable, unpopular and must go.

An enormous amount of hardship is caused to low-income groups. Local government finance is in chaos. The tax is everywhere deeply unpopular. The high level of non-payment is undermining respect for the law. Radical change, not just review, must be on the immediate agenda.

I give as an example my own area. We were once told that the Bills could be expected to be around £130 to £140 in Carrick and Restormel councils. Later I published figures showing £170 to £180 per head and was told by Conservatives that I was exaggerating. Next year's figure in Carrick will be £390 and in Restormel £365, if the proposals that are being put forward are accepted. The Government deceived their own party and Members of Parliament into supporting a Bill that should never have been allowed to pass through this House in the first place. While our figures are nevertheless comparatively low, and the Liberal Democrat councillors are to be congratulated on keeping them below average levels, the truth is that, in an area where average wages are among the lowest in the country, poll tax levels are causing hardship for many people.

Only the Conservative Government can be blamed, both because they have cut support to local authorities and because they have introduced a system that is wholly unrelated to ability to pay. Only the Liberal Democrat alternative of local income tax can produce fairness in the financing of local government.

Dr. John G. Blackburn (Dudley, West): I am grateful to the hon. Member for giving way. I have listened intently to his comments suggesting that the community charge in his area would be anything between £130 and £180. He has produced these ghastly figures. Does he agree that there are many local authorities, such as the one in which this Palace is situated, that have brought forward a community charge of £195? Does he also agree that there is a need for two things to be recognised? The first is that there is a silent majority that finds the poll tax acceptable as an alternative to rates? Does he agree that there are many people, some in my constituency, who are now saving over £1,000 a year? Secondly, there is a need for a fundamental review of the efficiency of this tax.

Mr. Taylor: The hon. Gentleman should have a word with the Secretary of State for the Environment who would undoubtedly put him right about his claim that there is support for the poll tax. I do not believe that many members of the Conservative party believe that; nor does the Secretary of State. That is why he is undertaking a review. I certainly do not believe that the great majority of people in this country believe in the poll tax. The Government are already talking about replacing it.

The Government tell us that we must wait for the conclusions of the review and that it will take until 1993 at the earliest to replace the poll tax. The Liberal Democrats know that it could be replaced sooner than that. It could be replaced within the space of a given financial year, provided that the decision to proceed with its replacement was taken six months before the start of that financial year. That is because the base for our local income tax system is already in place. It could be implemented in a short period because the Inland Revenue already holds the necessary information. There is no need to have any valuation of the tax base, which would be necessary with any new property tax. That is an important reason for supporting such a tax.

If the poll tax is abolished, the great expense that local authorities have suffered in implementing it will have been wasted. We do not want any new scheme to involve similar costs. That argument, if no other, should carry weight with the Treasury which, if newspaper reports are to be believed, has blocked implementation by the Secretary of State of a local income tax scheme. I assume that the necessary legislation could be quickly pushed through the House. There are many precedents for rapid action when things go wrong, as they have done with the poll tax.

Mr. Jacques Arnold (Gravesham): The hon. Gentleman says that information about income tax is available. Is he aware that tax offices tax people according to their place of employment, not according to their place of residence? Therefore, local authorities and the Inland Revenue would not know the tax base upon which to charge a local income tax.

Mr. Taylor: The hon. Gentleman refers to the present system, but the Inland Revenue knows where people live. That information is already available.

If the reports today in *The Times* and other newspapers are correct, the Secretary of State must tell the House whether he is prepared to support a system that is not directly related to ability to pay. That is the nub of the matter. For all the sophistry of those who support other schemes, only one scheme is related to ability to pay—a form of local income tax.

Mr. John Battle (Leeds, West): Can the hon. Gentleman explain how a local income tax system would redistribute resources from wealthy areas to poorer areas and between areas of high unemployment, where people still need services, and areas of low unemployment where more money would be received in the form of income tax?

Mr. Taylor: Any local government finance system must compensate poorer areas. My area is poor. A roof tax, a rating system or the poll tax have to take that fact into account.

The Layfield committee of inquiry favoured a local income tax. Moreover, according to opinion polls, it is favoured by many people. In fact, in my own area, 20,000 Cornish men and women signed a petition at this time last year in favour of a local income tax in the matter of just a few weeks.

If we examine how the Conservative party is handling its poll tax problems, we find that it is making vague promises for the future. It also makes claims about mitigating factors for the present. The Tories have just published a leaflet for the Ribble Valley by-election. It contains the line:

"Nigel Evans and Michael Heseltine working together."

It would have been better if it had said "undecided together." Both have refused to say whether they are in favour of retaining the poll tax. Both the leaflet and the Government herald the additional transitional relief that has been announced as the answer to people's basic objection to the poll tax, yet the transitional relief scheme is, and always has been, inadequate. It leaves out those in the rented sector, many of whom are old, or young, or poor. The relief does not apply to those who have moved house since the introduction of the poll tax. As Mr. Evans and the Government refuse to say whether they would abolish the poll tax, it might be more appropriate if they campaigned using the slogan "Nigel Evans and the Government confused together."

The Secretary of State has admitted that the Cabinet is split on the abolition of the poll tax. A defeat for the Tories in the Ribble Valley by-election will ensure the end of the poll tax, in just the same way as the defeat in the Eastbourne by-election helped lead to the fall of the Prime Minister who introduced the poll tax.

The Times report today suggests that a property tax, based on the number of people living in a household, is the Secretary of State's favoured option. I hope that he will confirm that today in the House rather than by leak and innuendo in newspapers. At least we should have an indication of the direction in which the Government are heading, although their reported alternative still fails the essential test—its relationship to ability to pay.

Earlier today the BBC gave us the Secretary of State's latest version, so we were led to understand—a floor tax with a personal ceiling for each individual. Since it has a floor and a ceiling, perhaps it ought to be called a room tax. No doubt we shall be given a list of exemptions and rebates that we can call the windows. With Labour's roof tax, we could end up with a house tax, better known as the rates—just what the Tories opposed in the first place.

Labour feels that the problems of the present can be solved only with yesterday's solutions, since it favours some form of property tax. Obviously it has little confidence in its alternative, since it is not even prepared to take part in all-party discussions with the Secretary of State. That was confirmed today when the hon. Member

for Dagenham said that the reason that the Labour party would not take part in the discussions was that it was afraid to have the figures analysed. The Liberal Democrats are well aware of the dangers of having figures analysed, so we do it ourselves. Ministers now accept that their earlier figures were not based on our scheme. The Labour party can give neither figures nor ask others to help out. That it the most abject cowardice of all.

The Liberal Democrats have taken a constructive role in the talks. We have a solution in which we believe. We have the honour in this House to be the only party to have argued consistently for a scheme of local government finance against the old rating system. We saw and rejected its unfairness. We were against the poll tax when the Government sought to introduce it. There was an absence of Labour party policy throughout the debates. Now there is an absence of Conservative party policy. We have been proud to stand throughout behind a system that relates local government finance directly to people's ability to pay. We believe that the system, local income tax, commands the support of the country.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I remind the House of Mr. Speaker's appeal that speeches should not exceed 10 minutes in length.

5.18 pm

Mr. Andrew MacKay (Berkshire, East): There does not seem to be much enthusiasm on the Labour Benches for their own Supply day. It will not have gone unnoticed outside the House that few Labour Members are present for the debate. Having listened to the speech of the hon. Member for Dagenham (Mr. Gould), which was very disappointing, I am hardly surprised. It was one of the most inept and pathetic performances that we have heard for many a long year.

I agree with the hon. Member for Truro (Mr. Taylor) that the official Opposition have absolutely no alternative to the community charge. They were not prepared to be flushed out by providing the House with a detailed policy. Critics of the community charge in my constituency readily acknowledge, when they complain to me about it, that the Labour party has provided no alternative. The Opposition are just not getting their message across.

Mr. David Clelland (Tyne Bridge): Will the hon. Gentleman give way?

Mr. MacKay: I am not prepared to give way. The hon. Gentleman has only just walked in to the Chamber.

The unfairness of the old rating system has been completely forgotten by the Opposition. It caused an immense amount of distress, particularly to single people living alone and to pensioners who had to pay a disproportionate part of their income towards local government services. To return to such an unfair system would be very cruel. I am surprised the Labour party is considering a return to it.

What has impressed me about the objections that I have received to the community charge is that people are prepared to acknowledge that it has certain benefits. They acknowledge that payment for the use of services is right. They acknowledge, too, that local government accountability is very important. They like to know how much money is being spent by local authorities on their behalf so that they can reach their decision accordingly at local elections. Furthermore, it has to be acknowledged that the implementation of the community charge leads to unfairness. I should like to bring one or two instances to the attention of the House.

People who have been very badly affected include couples, often pensioners, past working age, who perhaps have some small savings which make them ineligible for rebate on financial grounds but who are far from well off. They have found it a great struggle in many cases to pay the community charge. Another group that concerns me are young couples with young families, where the breadwinner is on a relatively low income but not so low that the couple are eligible for a financial rebate. Because of the age of the children, the non-working spouse is unable to go out to work, even if he or she wanted to, because they are, rightly, looking after their young children. Such couples have suffered greatly.

By and large, these people tend to live in smaller, older properties which were low rated and they have found the increase from the old rating system to the new community charge very great. That is why I warmly welcome the community charge reduction scheme announced by my right hon. Friend the Member for Henley (Mr. Heseltine) last month, which comes into effect in April at the beginning of the new financial year.

The scheme has addressed two areas of gross unfairness. I felt blasé when I first heard my right hon. Friend's statement; so often one is told by politicians of all parties that new arrangements will be of great benefit to certain sections of the community, but when one goes home one checks out the arrangements, talks to local authorities and others and finds that they will not be quite as good as promised.

Mr. Battle: Like cold weather payments.

Mr. MacKay: I can tell the hon. Member for Leeds, West (Mr. Battle), who is interrupting from a sedentary position, that when I returned to Berkshire and spoke to the borough treasurers and the council leaders in Bracknell and in Windsor I found that a large number of my constituents would benefit greatly under this reduction scheme. Many couples in Bracknell will save up to £250 on their community charge next year. That is not an insignificant sum, and these are precisely the sort of people that we need to help. Any couple who were paying less than £596 in rates under the old system will benefit to some degree, and many of them, particularly those paying well below that figure, will benefit by three figures. That is not insignificant.

The other good news for my constituents is that due to worthwile savings by Berkshire county council, by Bracknell Forest borough council and by the royal borough of Windsor and Maidenhead at the other end of my constituency, there is a real possibility that all charge payers will pay considerably less in 1991-92 than they did last year and that those who are least well off will benefit considerably from the community charge reduction scheme.

There are, however, one or two other areas where it is important that we review the community charge. I do not see much point in charging students. We have acknowledged that they can pay only a very small community charge, so we levy a mere 20 per cent. on them. In most cases, that sum is not worth collecting.

[Mr. MacKay]

Nevertheless, it causes some hardship and certainly some frustration to students, who are not earning money and who cannot see why they should pay any community charge.

Equally, students by and large are not studying where they are going to live permanently, so the accountability in local government is not relevant at all. There seems no benefit, therefore, in continuing to charge students 20 per cent. We should forget all about charging students.

Another area worries me very much. I have corresponded with my hon. Friend the Member for Enfield, Southgate (Mr. Portillo), the local government Minister, and I await a reply. No doubt a considered and detailed reply will be forthcoming shortly. The matter concerns constituents of mine living, for instance, on the Broadmoor hospital estate who are staff at Broadmoor. Until the advent of the new system they did not pay rates directly; rates were part of the rent that they paid to the hospital. The houses in the Broadmoor hospital estate were rated as one entity. Although they would have been low-rated houses if they had been rated individually, they were rated in bulk as an estate, so they were not eligible for transitional relief; and we fear that they will also not be eligible for the new community charge reduction scheme.

If that is true, it means that some of the people who can least afford to pay the full community charge and who, if they had been living elsewhere, would have been eligible for the reduction will not be able to obtain it. That cannot be either right or just and I hope that my hon. Friend the Member for Southgate, not tonight but when he replies to me shortly, will put our minds at rest on that point.

I commend to the House the Government's decision fundamentally to review the workings of the community charge. Contrary to what Opposition Members would like to think, I have found that the public welcome the decision immensely. First, they approve of a Government who are prepared to take a further look at a policy which has not worked as successfully as some of us would have liked and who have acknowledged that in the implementation of it there have been anomalies and unfairnesses.

The public also think that it was right for the Prime Minister to state from the Dispatch Box that nothing would be ruled in and nothing would be ruled out, and they are confident that the review will take into account many of the unfairnesses and many of the criticisms. I do not want tonight to give my hon. Friend the Member for Southgate too many suggestions. There is a lot that is good in the community charge, but there are many unfairnesses. Ability to pay needs to be taken into account, but the old rating system was wildly unfair. It would be extremely helpful if my hon. Friend the local government Minister could use his very real talents and those of the Secretary of State and their advisers to come up with a package of local government finance that would reflect the very best of the old rating system and the very best of the community charge system, while rejecting the anomalies, the unfairnesses and the irrelevance in both systems. That is no easy task. I am not giving my hon. Friend the solutions, but I wish him well when he replies to the debate.

Mr. Deputy Speaker: In case hon. Members have not noticed, the digital clock stopped working at 5.17 pm. I hope that hon. Members will look at the clocks at each end of the Chamber to calculate when their 10 minutes are up.

5.30 pm

Mr. Joe Benton (Bootle): I agree with my hon. Friend the Member for Dagenham (Mr. Gould) that in examining the effects of the poll tax one has to take account of local circumstances. I have found that to be very true, and several hon. Members have referred to it.

At my constituency surgery last Saturday I dealt with four cases arising from the effects of the poll tax. I do not want to bore the House and I shall be as brief as possible, but I want hon. Members to cast their minds back to the Government's initial justification for the introduction of the tax, which was that it would be fairer, simpler and less costly. The four cases to which I shall refer give the lie to those claims.

Mrs. Drohan is a lady with a severe handicap—she is deaf and dumb—but is fortunate enough to be working. Indeed, she is the sole breadwinner; her husband is unemployed and gets no benefit, because of her income, even though it is very small, at about £147 a week. Mr. and Mrs. Drohan have two children, both of whom are at school and their poll tax commitments amount to £308·47 for the husband and £383 for the wife. To compound the injustice, Mrs. Drohan has to pay her husband's poll tax.

My constituents have no objection to my mentioning them. The second case involves a man and his wife, Mr. and Mrs. Mulhearn, and their four children. The husband suffers from a severe disability and has had to retire from work. Their total income is £179·68 and two of their four children are unemployed. After transitional relief and Government rebate, both parties have to pay £289·79.

The third case is different from the others and very tragic. The poll tax was supposed to be efficient. Mrs. L. Somers is 85 and blind and disabled. She lives in a high-rise development. She has just received a court summons, even though on five or six occasions she has informed the local authority that the cash is available but that, because of her handicap, she requires someone to come and pick it up. So much for the poll tax being efficient.

My final case is that of Mr. J. Lloyd, who has transferred into sheltered accommodation but receives no transitional relief even though, because of the block assessment, there is a link to the housing association. Again, so much for the efficiency of the poll tax.

Those four cases provide an insight into what is really going on in terms of both the management and the injustice of the poll tax. I hope that, having listened to what I have said, Conservative Members will appreciate my point; after all, they claim that they are the Government of the family. It does not take much imagination to see the poverty and travail that lie behind those cases. It is tragic that people should be placed under all those pressures when they are trying to rear a family.

Much reference has been made to law-breaking. The constituents of Bootle have always rendered unto Caesar the things that are Caesar's and unto God the things that are God's, although I must say that, even in his wildest moments, Caesar would never have introduced a tax like the poll tax into Great Britain. The Government should try to understand people's dilemma. I would never advocate that anyone should break the law and I would never encourage anyone to do so. I oppose law-breaking and I always say to people, "You should pay your poll tax." I would say that to anyone, right across the board. However, the Government must understand that many people cannot pay their poll tax and Ministers must make

a distinction between those who will not pay and people such as those to whom I referred, who face tremendous hardship.

I do not know how many Conservative Members live on £160 or £170 a week and are trying to raise four children. I do not know whether they have the wit or imagination to perceive how difficult it is for people who genuinely want to meet their legal obligations but who cannot do so because they do not have the money. We must differentiate. No one is advocating that people should not pay their poll tax; I have told every one of my constituents that. But the fact is that some of them cannot pay. The Government must be big enough to appreciate their dilemma and to legislate to ease the hardship that those poor people have to endure.

Let me conclude on a simple note. Hon. Members have referred to the Labour party's alternative proposals and also to a local income tax. I understand that legislation introducing such a tax would take three or four years to reach the statute book. I do not know whether that is the case, but I can well believe that it is. What do we do in the meantime about the poll tax and its injustices? Something has to be done. Even if one accepts the principle of a local income tax, we cannot wait three or four years for the abolition of the present unjust and heinous tax. Even though there may be i's to be dotted and the t's to be crossed, any alternative—and the Labour party's is the best—will be better than the poll tax.

5.38 pm

Mr. Robert Hayward (Kingswood): I followed with interest the remarks by the hon. Member for Bootle (Mr. Benton). I was especially interested in his comment that nobody was advocating that people should not pay. I suggest that he addresses his comment to a number of Labour Members of Parliament—one of them a near neighbour of his on Merseyside—who are doing precisely that.

Not one of the three speeches that we have so far heard from the Labour Benches has described one aspect of the content of the Labour party's proposals.

Mrs. Alice Mahon (Halifax): They have been published.

Mr. Hayward: The hon. Lady says that they have been published. If the details are so good and so well known, why has not one Labour Member had the courage to refer to any of the contents of the published document? As my right hon. Friend the Secretary of State and the hon. Member for Truro (Mr. Taylor) said, the hon. Member for Dagenham (Mr. Gould) has admitted that the Labour party does not want to subject its proposals to detailed scrutiny. That is the key

Mr. Allen McKay (Barnsley, West, and Penistone): Will the hon. Gentleman give way?

Mr. Hayward: I shall not give way, because Mr. Speaker and Mr. Deputy Speaker have appealed for brevity.

Mr. Allen McKay: On a point of order, Mr. Deputy Speaker. The hon. Member for Kingswood (Mr. Hayward) is, probably unwittingly, misleading the House. My hon. Friend the Member for Dagenham (Mr. Gould) did not say that; he said that there would be no co-operation between the Front Bench spokesmen until the Government show their willingness to do away with the poll tax.

Mr. Hayward: That was not a point of order, Mr. Deputy Speaker, but I shall not reassert my position on the subject. The hon. Member for Truro, who is sitting alongside the hon. Member for Barnsley, West and Penistone (Mr. McKay), shakes his head in disbelief, as do many of my hon. Friends.

I have much sympathy with the comments made by my hon. Friend the Member for Streatham (Sir W. Shelton), as I am aware of someone who has written three times to Lambeth council in an attempt to pay his poll tax, and has received no response.

Mr. Tony Banks (Newham, North-West): They do not want the hon. Gentleman's money.

Mr. Hayward: It is not my money. I have paid my poll tax in Southwark and Bristol, both of which are charge-capped.

My hon. Friend the Member for Berkshire, East (Mr. MacKay) drew attention to the problem of wives with husbands on low incomes, where the wife is at home looking after the children. For the sake of brevity, I shall not expand on that but I support my hon. Friend's comments. I have written to my hon. Friend the Minister of State about another group of people whose position concerns me—families in which the husband or wife stays at home to look after a disabled member of the family, therefore denying himself or herself a second income while easing the burden on the state by staying at home and looking after that relative. Such people should receive more favourable treatment.

Will the Minister of State, when he winds up, clarify the Secretary of State's earlier remarks concerning the relief provided for people in the Gulf? I think that he used the phrase "associated workers". Would that apply, for example, to the likes of employees of British Aerospace, who are already in the Gulf but are providing support services—not necessarily to the British services but, for example, to the Saudi Royal Air Force? Thousands of families would be affected by that provision.

Much has been made, in this afternoon's debate, of the community charge reduction scheme. It is about time that the benefits of that scheme were clearly identified. The scheme was announced on the day the Gulf war broke out and few people noticed it. The right hon. and learned Member for Warley, West (Mr. Archer) referred to the scheme and complained that 80 per cent. of his constituents would benefit from it. That shows clearly the substantial benefit of the scheme and its progressive nature. I encourage the Government and all local authorities to emphasise the scheme's benefits. In my constituency of Kingswood borough, a household that previously paid £400 in rates—a fairly typical amount and assuming that a married couple would have to pay £50 per person more this year—would probably benefit by £100 per household. Most people expect to pay more next year, but do not realise that, in those circumstances, they will pay about £100 less.

Part of my constituency has a combination of two loony councils. Half of my constituents come under Bristol city council, where the problems are enormous, and others come under Avon county council. They were both charge capped last year. According to *The Sunday Times*, we are

[Mr. Hayward]

faced with perhaps the largest community charge increase of any district authority in the country. *The Sunday Times* suggested that the increase for this year would be £125, making the total figure in Bristol £550.

I share the concern of the hon. Member for Truro about the amount of community charge being paid in areas where earnings are low compared with those in London. Bristol set out not to administer the community charge properly and is now making no effort to publicise the community charge reduction scheme, despite the fact that probably the majority of adults in 31 of the 34 wards in the city will benefit from the scheme. The latest estimate is that some 200,000 adults in Bristol will benefit from it. Bristol and Avon county councils are more interested in imposing ever greater burdens on ordinary community charge payers and on schools in the district. The headmasters and headmistresses to whom I have spoken have complained bitterly. Some of them have gone public about the burden imposed on them by the local education authority. Just before Christmas, they made public an appeal that the local education authority should get off their backs. That is the nature of the two local authorities with which we are dealing. Last week, the Labour lord mayor of the city was deselected because he was too moderate. I beg the Department of the Environment to consider seriously abolishing Avon county council and others as quickly as possible, because we cannot cope with two loony councils.

In conclusion, Mr. Deputy Speaker, before I allow other hon. Members to speak, may I say that I regret that throughout the debate the Benches of the Labour party, which initiated this debate, have been so poorly filled.

5.47 pm

Mr. Tony Banks (Newham, North-West): I wish to raise issues that affect two local authorities in London—the London boroughs of Newham and Greenwich. Conservative Members will know that the London borough of Newham is one of the most deprived local authorities in the country. At my advice sessions on Friday, an increasing number of people complain that they cannot afford to pay their poll tax. Incidentally, in many cases those people have to pay only 20 per cent. of the poll tax. If the Government are to consider other ways of tinkering with the poll tax to make it more palatable, getting rid of the category that pays 20 per cent. would be of some advantage. I would welcome such a change on behalf of my constituents, although nothing would be better than the abolition of the poll tax. However, we shall have to wait for the advent of a Labour Government before that happens.

Those who cannot afford to pay are taken to court in large numbers. They are not making a political statement. Several hon. Members have mentioned people who refuse to pay the poll tax. If it is an iniquitous tax, people have the right to say that it is so evil that they will not pay it. They must then pay the penalty of refusing to pay. I am concerned not about such people, but about the thousands in Newham who simply cannot afford to pay. Some 50,000 liability orders have been issued by magistrates in Newham and 5,000 cases have been sent to the bailiffs. Those people are law-abiding east enders who have been criminalised by the Government.

Mr. Jacques Arnold: Does the non-payment and the wish not to pay of a number of the hon. Gentleman's constituents show that they agree with councillor Steve Timms that Newham is

"seen as an unsatisfactory place with poor quality services"?

Mr. Banks: I assume that the hon. Gentleman is quoting accurately from Steve Timms, who is the leader of the council. I do not know how much the hon. Gentleman knows about the London borough of Newham. I do not know whether he has simply passed through it or has spent some time there. Perhaps I can take him around the borough when he next visits it and I can then enlighten him about our problems. Some of the services in Newham are poor, but they are being made worse by the fact that the financial penalties imposed on us by central Government make it impossible for us to address the borough's real problems.

It is no great coincidence that Labour-controlled authorities find it so difficult to manage. Labour-controlled authorities rather than Conservative-controlled authorities must face the social and economic problems which in many ways have been imposed on them by central Government policies.

What really annoys me is that, even when we are trying honestly to address our problems, we hear only petty political points from Conservative Members who are not interested in a consensual approach to local government finance or organisation. They are interested only in making cheap petty political points. As someone who worked in local government for many years, I find that response most distasteful. I wish that we could get back to those days when central Government did not interfere in the affairs of local government as they do now. Once we got rid of the Boadicea of Finchley, I hoped that a little more sanity would enter central Government with respect to Government policies towards local authorities. Perhaps we will see that sanity one of these days, but I cannot see it coming from the Minister for Local Government and Inner Cities whose reputation is based on his Thatcherite attitudes.

The Minister for Local Government and Inner Cities (Mr. Michael Portillo): If we were still in those happy days when the hon. Member for Newham, North-West (Mr. Banks) was on the Opposition Front Bench, I have no doubt that he would take a consensual view and want to talk to the Government about local government finance. Is he aware that his colleagues who now sit on the Opposition Front Bench, which he has recently left, refuse to speak to us or to adopt a consensual attitude?

Mr. Banks: I am not surprised that my colleagues refuse to do that. The conditions upon which negotiations are taking place are completely unacceptable. The Minister cannot try to inveigle us into the Government's policy on the poll tax. If the woolly-hatted, Tory lickspittles of the Liberal party want to get involved with the Government, they can do so. They will get no honour or credit from that. The Government created the poll tax mess. We will not help the Government get out of their own mess. The poll tax is one of the major millstones that will drag the Government down to defeat at the next general election. We are not about to assume the weight of that millstone on our backs in order to save the Minister's wretched skin. That is why we are not prepared to deal with the Government.

Mr. Clelland: I can confirm that the Government are in a mess with regard to the poll tax. Is my hon. Friend aware that the Northumbria police authority met this morning and it has had to cut its budget, as a result of the Government's poll tax policy, by £2·5 million which is equivalent to 116 police officers at a time when there is a crying need for more police officers—and that from a Government who claim to be in favour of law and order?

Mr. Banks: My hon. Friend demonstrates the Government's sheer breathtaking hypocrisy. They load more and more responsibilities on local authorities and then deny those authorities the resources to meet those added responsibilities. When—surprise, surprise—those local authorities cannot meet those requirements, the Government accuse them of being inefficient and unable to do their job. If central Government were half as efficient as local authorities—both Tory and Labour—they would be twice as good a Government and that would be an improvement which many of us in Newham and elsewhere would like to see.

Unfortunately, the London borough of Greenwich is not represented by a Labour Member of Parliament at the moment. There is no representative from Greenwich in the Chamber today because the Liberals are too busy collaborating with the Government. Those muesli-eating lickspittles who sit down with the Tory Government cannot be here today to defend the London borough of Greenwich.

Greenwich set its 1990-91 poll tax level at £203 million. Greenwich was forced to use its reserves and to make cuts in services in order to reach the Government's targets. The indicated designation level for 1991-92 is £212 million, which is an increase of only 4·9 per cent. over the 1990-91 limit and the increase for Greenwich of 4·9 per cent. is the lowest in London.

The Government do not seem to understand the great problems facing Greenwich. Why is the gap so large with regard to Greenwich and its standard spending assessment? It is clear that in setting an SSA for Greenwich the Government have failed to recognise the number of children in care and on the at-risk register; the impact of the developing new town of Thamesmead; the level of maintained opened spaces in Greenwich and the areas of population density, the effect of which is diluted in the formula due to the sizeable areas of parkland in the borough. The Government have failed to take account of daytime tourism inflows into the borough. I noticed that Westminster council received additional money because of tourism, but Greenwich did not receive any additional recognition. No account was taken of the number of one-parent families in the borough.

As a result, Labour-controlled Greenwich borough council must make massive cuts because of the Government's unrealistic SSA. The council is talking about closing a holiday home for the elderly and disabled, four branch libraries, two day nurseries, two council halls, one community centre, public conveniences, two art galleries, one staff day nursery and all council playgroups and adult education centres. That is what is happening in Greenwich, and the experience is being repeated in other Labour and Conservative controlled local authorities. It is evident, for example, from what is happening in Berkshire.

When will the Government face up to their responsibilities? The Government have made a God-awful mess of local authority finance and local authority services. They have reduced those services to the point at which they can hardly sustain themselves. It is about time the Government recognised their responsibilities and, more to the point, it is time that they stood down and Labour took over control of central Government. We will give local authorities the responsibility and resources that they deserve.

5.57 pm

Mr. Ken Hargreaves (Hyndburn): I am grateful for the opportunity to take part once more in a debate on a subject which is of great concern in my constituency. When I last spoke in a debate on the community charge—when it was about to be introduced—the hon. Member for Warrington, North (Mr. Hoyle) described my speech as brave because I had said that, having listened carefully to previous speeches, I found myself agreeing more with Opposition Members than with my colleagues. I have not done that today.

Three years ago I warned the Government that the introduction of the community charge would be a disaster, not least because no matter how often we repeated that the community charge would be fairer, it would not be perceived to be fairer by people in terraced houses who were paying more while people in detached houses paid less. Had we said that it would be fairer for everyone to pay a contribution to local services, that might have been acceptable, but the bold statement that the community charge is fairer was as unacceptable as it was wrong. Any system of local government finance must be based on the ability to pay.

Speaking against the community charge from the Conservative Benches is now a less lonely affair and I welcome the Government's review and recognition that so many of the things that I predicted earlier have now come to pass. I welcome not just the fact the Government have recognised the problems and the hardship caused to so many thousands of people in constituencies like mine, but the fact that the Government have acted to reduce that hardship. They have acted in a manner that can only be described as generous.

Twelve thousand households in Hyndburn qualified for transitional relief, despite a claim by the Hyndburn Labour party that no one in Hyndburn would benefit. Twenty-nine thousand households—80 per cent. of all households—will qualify for the new community charge reduction scheme and they will benefit to the tune of the £6 million which the Government will pay to reduce community charge bills. Therefore, £6 million will remain in the pockets of the people in Hyndburn to save or to spend as they wish. It will give a welcome boost to the local economy.

If only Labour-controlled Lancashire county council would show equal concern for the hardship caused by the level of charge that it levied on Hyndburn last year, there could be enormous reductions in bills this year. Instead, for those for whom no relief is available, Lancashire county council is likely to increase the charge by double the rate of inflation.

The Government's new scheme gives generous help to the 29,000 households in Hyndburn who qualify. For example, a couple who live in the average terraced house in Hyndburn will have this year's bill reduced by £265. A couple living in a house on which they paid rates of £180 —and there are many of those in Hyndburn—paid £630 in

[Mr. Ken Hargreaves]

community charge last year. Even if the county council's increase is double the rate of inflation—as we expect—that couple will pay only £420, instead of £816. That is £210 less than they paid in the current year and £396 less than they would have had to pay but for the introduction of the community charge reduction scheme.

There are similar reductions in the rest of east Lancashire, not least in Ribble Valley where, on 7 March, the public will have the opportunity to show their support for the Government's efforts to keep down the community charge bills. Based on the £216 average rate in Ribble Valley, a single person will save £38, a couple will save £279 and three people will save £297 as a result of the community charge reduction scheme. That is welcome news for the many people who have found paying the community charge this year a real hardship.

People in east Lancashire are genuine, hardworking, honest folk, so, generally speaking, they have paid up, even though it has not been easy. They very much resent the fact that people who can afford to pay have not paid. They resent especially the fact that the campaign against payment was led by the local Labour Member of the European Parliament for Lancashire, East, Mr. Michael Hindley, by the then chairman and secretary of Hyndburn Labour party, Mr. Ken Slater, and by county councillor Peter Billington. Through their bad example which has encouraged law breaking, they have helped to ensure that people in Hyndburn will have to pay £25 extra next year. That is extremely unfair to many thousands of my constituents who have struggled to pay this year. They are angry and many say that they will not pay the extra £25.

Only this morning I received a letter from Mr. Clark, one of my constituents. He said that his reason for writing could be summed up in one sentence. He wrote:

"My wife and I have no intention of paying any increase of my poll tax payment next year which can be attributed to non-payment by others."

He also said that he had seen a

"full page of non-payers of the poll tax in the Evening Telegraph with quite a few who are resident in my area who enjoy a much more active social life than my wife and I and the majority have two wages coming in".

I also welcome the fact that the community charge reduction scheme offers more help to those who live in sheltered housing, but I regret that the relief available under the scheme is lost when people move house. That will cause enormous problems and, again, it will be claimed that it is unfair.

I have been against the community charge from the beginning. I would welcome its abolition provided that there was clear evidence that whatever replaced it would not be equally bad. Figures were available to show the effect on people in areas such as Hyndburn but, sadly, we have been given no such evidence today. It is easy to mouth slogans such as, "Scrap the poll tax" without explaining how local government would be funded. Whatever the system of local government finance, we shall have to pay more, one way or the other, unless local authorities keep their spending under control.

Mr. Patrick Thompson: I am grateful to my hon. Friend for giving way. I agree with much of what he said. Does he agree that if we were to return to a form of property tax or, as the Opposition have suggested in Scotland, to a roof tax, we should have to consider many other categories of people, especially the elderly, who suffered under such property taxes. We must bear such people in mind when seeking a way forward.

Mr. Hargreaves: My hon. Friend makes a good point. One of the few good points about the community charge is that it attempts to make local councils accountable and, to some extent, it has succeeded. People are now beginning to understand that if their local council spends more, they will pay more. Unfortunately, in areas such as Hyndburn, even if people object—as they do—to large increases in their bills, they can do nothing about it until the next county council elections, which are two years and two further increases away. If the poll tax is to remain, even in an amended form, and if there is to be accountability, there must be annual elections for the county council as well as for the borough councils.

I hope that, as a result of the review being undertaken by my right hon. Friend the Secretary of State, it will be decided to abolish the community charge. If that is not possible, I hope that, at the very least, education spending will be funded centrally. That would bring down the community charge to a more acceptable level, but we must recognise that that would probably mean an increase in income tax. There is no easy option, but that is a fairer one.

Some control could be kept on local government spending by increasing its funding each year by the rate of inflation and by allowing it to increase its charges by only that rate. Pensioners have to live within those limits—why not local authorities? For far too long, local councils have, in effect, said, "This is what we are going to spend and you, the charge payers, must find the money to pay for it even if it means hardship." Local authorities should ask how much people can afford and then decide how best to spend that amount.

6.5 pm

Mr. Allen McKay (Barnsley, West and Penistone): Throughout history, all despotic Governments have needed a scapegoat. We do not have a despotic Government in such a sense, but they advocate central control of a despotic nature. They needed a scapegoat, which turned out to be local government. Since 1979 they have used local government, local government services and local government councillors as scapegoats to cover all their mistakes. They introduced fiscal policies that have changed the nature of taxation so that the rich get richer and the poor get poorer. The poll tax is no different.

There are several main considerations in local government finance. The Government are now struggling to find an alternative to the poll tax and to save face rather than admit that they have made a huge mistake. The best thing that they could have done was to admit that they had made a mistake. They would probably have been more popular if they had admitted it. They have thrown money at the customer side but forgotten local government services. They have tried to ease the pain caused by the way in which the poll tax was introduced, but they have forgotten the pain caused by the reduction in local government services. If they do not believe that pain has been caused by a reduction in services, they are not listening to what has been said by local government institutions.

The Government have now introduced the community charge reduction scheme, which is fine. I have complained

on behalf of many of my constituents and there is not a shadow of a doubt that some of them will be £100 a year, probably more, better off. However, they will pay for that in other ways. The Government have failed to say that people in receipt of other benefits will not see any of that reduction. They may get the money back in one way, but it is taken off housing benefit. The people who think that they will be £100, £120 or £150 better off a year will get nothing.

Despite all the expectations that have been built up, my constituents will get a surprise when the bills come through the letter box. On the one hand, the Government say, "Look at what we have done for you"; on the other, they say, "We will take it back in another way." Nothing has been said about that today. The scheme has given money back to some people, but those in greatest need will get nothing, or very little. It is time that we were told the truth.

Local government must be paid for and has always had to be paid for. People complained about the rating system and said that it was wrong. For about 25 or 26 years, I and others in local government have looked for an alternative to the rating system, but we have never found one. We have looked at various schemes. Which scheme is easy to collect, does not cost much, is less easy to evade and provides what is wanted? All the schemes that have been considered have had one fault or another. One would have thought that no Government could ever envisage a scheme that had all the faults all the time. The community charge is easy to evade, it is expensive to collect and it does not provide the money for the local government services that are wanted.

The Government talk about control of local government. There is control of local government—it is called the ballot box. The people decided what rates they should pay and how they should be spent. That was always so. However, this Government took away that control and what they came up with is a farce. The Government talk about accountability, but there is none, although the poll tax was supposed to be based on that. They talk about accountability in one tax, yet they introduced a uniform business rate that took accountability away. That tax and other Government grants are providing 75 per cent. of the money. The other 25 per cent. is under Government control. The whole of local government is controlled by central Government.

The poll tax has damaged local government services tremendously and it will take a long time to get back to even stevens. The biggest damage has been done to the education services. My local authority has not built a nursery school for five years. When I asked the education director when the next one would be built, he said, "God knows; I don't." My constituents want nursery education to be provided because they realise the value of education at three.

We have now run out of money for road gritting. What will happen if we have another snowfall like the one that we had recently? Where will the money come from? We are already over budget. Will central Government now recompense local government for the extra costs caused by the bad winter? At one time, local councils could move money from one part of the budget to another to overcome problems, but they can no longer do that because budgeting has been departmentalised. If an authority moves a little bit more money around, it is capped, which makes matters worse.

There have been big cuts in social services. We have closed old people's homes. There has been rationalisation and, on paper, it seems as if we have achieved value for money. However, people forget that the Government have taken away a person's home. That person may have been there for a considerable time, so it is home. Those people have been deliberately and actively uprooted.

Conservative Members talk about the little old lady who came under the rating system. They kept trotting her out and saying that she was paying more rates than she should. What did the Government do when they brought in the rent rebate scheme? They put the boot into that little old lady. They said, "If you are living in too big a house and you don't get out, you won't get a rent rebate." That little old lady was wrong under the rating system, and under the rent system, she was wrong again. The idea of the little old lady is a red herring.

The Government have already extended local government services. Where will the money come from? Spending may be capped. The Government have introduced the Children Act 1989, care in the community and the Environmental Protection Act 1990, which all cost money. Where does it come from? We cannot raise the money from the ratepayer because local government will then be capped. The Government will not provide the money.

The cost of poll tax collection is escalating. In Barnsley, it costs £3 million more than it did to collect the rates. What is the sense of having a system of collecting local government finance that costs £3 million more than it did under the old system?

Some people are non-payers as a matter of principle. That matter will be sorted out anyway. However, some non-payers genuinely cannot afford to pay. The poll tax has been a shock. A household of six poll tax payers who used to pay £296 in rates at one fell swoop had to pay £2,400. Of course they cannot pay that. Where will they get £2,400 when they used to pay £296? That is what is happening to people on low wages who live in low-value areas. There were grants to ease the effects, but they did not work.

The Government have now caused uncertainty. The Secretary of State and his Ministers say that they are carrying out a review and that they will bring out something else. They have not got anything else. For 26 years, we have looked for an alternative and there is none. The Secretary of State comes out with twaddle about how they will find something else. All that he will come out with in April is some scheme to try to ease the situation so that the Conservative will win more seats in the May elections. That is what it is all about. It has nothing to do with the poll tax and it has nothing to do with local government services. The review will probably cause an increase in payments.

Local authorities are also involved with the police, fire and transport services. The police and fire services probably received favourable answers, such as an invitation to break the law. There was an invitation: "We'll tell you that you can have 19 police. You may not be able to pay for them without being capped, but put in for those police anyway." There will be no grumbles about having 19 more policemen. However, although the authority may not be capped, somebody somewhere will pay—the poll tax payer. The same is true of the fire service. The review may cause the Home Office severe problems,

[Mr. Allen McKay]

but we would be silly not to pay according to the Home Office requirements. If it costs a little more money, so be it.

Mr. Portillo: Did the hon. Gentleman just say that it had been claimed before that his authority would have to get rid of 19 policemen to avoid being capped but that it was now recognised that it would not have to do so because savings could be found elsewhere?

Mr. McKay: I said that we might have an objective of 19 extra policemen according to Home Office standards. I said that it seemed as if we would not be able to get those 19 policemen because we could not afford them. Representations were made. We were told that if we adhered to a careful budget, it might allow the 19 extra policemen. I do not want to mislead the House or to tell the Minister lies. The matter is serious. Many hon. Members do not take the work of local government seriously enough. Another problem, remuneration of councillors, is coming up. Some 50 per cent. of councillors will have to disappear simply because they cannot afford to do the job. However, that is a matter for another debate.

It seems that the Government are considering a poll tax and a property tax. They should forget it because having two taxes will escalate costs. We need to get rid of the poll tax and to replace it with a system that will be sustainable not for the next five, 10 or 15 years, but for the next 100 years. That is worth doing and it is worth taking time to do. The Government should stop shilly-shallying. Let us put the cards on the table and have a proper system. Local government is too important to be a political ball in a political game.

6.18 pm

Mr. Jacques Arnold (Gravesham): The Opposition motion is a complete farce. The Labour party proposes to abolish a tax, but gives us no word on its replacement. The hon. Member for Dagenham (Mr. Gould) said that he did not not want to complicate the debate by putting forward an alternative. All we need to know, he told us, is that the Labour party is united behind the undefined alternative. Earlier today, the right hon. Member for Islwyn (Mr. Kinnock) told us what the alternative is—fair rates. However, not once did he or any other Labour Member clarify what was meant by that.

Why is the Labour party so against the community charge? Perhaps the reason is not least that it shows up the record of Labour local government. This year, the first year of the community charge in England, has shown a trend that is becoming clear. Efficient Conservative councils charge less for frequently better services than wasteful Labour ones. The average Conservative council —and where there are two councils, as in the shire counties, where they are both Conservative—has charged £27 less than Liberal councils and £51 less than Labour ones. Further, if one strips out the safety net contributions levied on largely Conservative council charge payers to subsidise largely Labour councils, one finds that residents of Conservative districts on average paid no less than £107 less than those in Labour districts and £87 less than Liberal district charge payers. Those figures explain much of Labour's agitation on the subject of the community charge and its determination to lay a thick smoke screen.

Unfortunately for Labour Members, a torrent of figures are now coming out for next year's community charges. They are pouring out of the town halls and make the matter starkly clear. Let us consider the first batch of community charge announcements listed in *The Times* yesterday. Top of the pack was the city of Bristol where the Labour council plans to pole-axe local people for £500, a 17 per cent. increase on this year's charge. We then have a whole clutch of Labour community charges of over £400 —for example, Hackney at £462, Cambridge at £469, a rise of no less than 25 per cent., and Hounslow at £425. What do they have in common? They are all Labour controlled —not the loony left, we are told, just managed by the new style Labour party.

One community charge figure caught my eye, that for the London borough of Merton at £430, an astonishing 54 per cent. up this year. We must remember that that council went Labour at the elections last May. Its record reminded me of the 62 per cent. increase at Waltham Forest in 1987 following its capture the previous year by Labour and, worse still, the 66 per cent. increase in Ealing. That is in line with the long-standing Labour tradition of thanking local electors for their support by kicking them in the teeth, or rather in the pocket. Even in flagship Bradford, Labour has kicked local residents to the tune of another 31 per cent. next year, despite the continuation of Government safety net support at identical levels year on year.

The people of Ealing did not forget. They chucked Labour out at the next opportunity, at the borough elections last year. It is interesting to note that the successor Conservative council there is cutting the community charge by 9 per cent. in the coming year. That is being achieved by going through the council services with a fine-tooth comb and scrapping nonsenses such as the gay and lesbian advisory services and other Bennite extravagances. Of course, we have yet to take note of the charging proposals of the more mainstream loony left Labour councils such as Lambeth, Southwark and Greenwich. No doubt more anguish will be expressed by Labour Members over those.

I have the honour to represent in this place the people of Gravesham. They are served by a well-run Conservative borough council which has levied the low community charge of £293. Through good housekeeping, the council proposes to keep its charge unchanged at £293 in the coming year. I trust that my constituents will ponder deeply on the experience of the residents of Merton, Waltham Forest and Ealing before electing their new council next May. They already have the stark contrast between their own £293 community charge bills and the massive £413 bills across the river imposed on the residents of the Labour-controlled borough of Thurrock.

The vacuum that passes for local government taxation policy on the Opposition Benches has been exposed clearly today, and I am sure that in the vote tonight the House will implode it.

6.26 pm

Mr. Brian Wilson (Cunninghame, North): I am grateful for this opportunity, towards the end of the debate, to make a contribution. The speech that we just heard from the hon. Member for Gravesham (Mr. Arnold) was the type of contribution that gives tailors' dummies a bad name.

The hon. Gentleman represents a tendency in the Tory party which causes a major problem for the Secretary of State for the Environment, in that there remain some true believers on the Government Benches. We clearly have a Conservative Member who is still reading, if not wearing, last year's briefs. He is busy telling us that everything is all right with the poll tax, and the evidence for that is simply that in thrifty Gravesham it will be only £7 short of £300.

With some of my hon. Friends, I had the dubious privilege and pleasure of serving on the Standing Committee of the Local Government Finance Bill. At that time there were queues of Conservative Members, not unlike the hon. Member for Gravesham, telling us, with greater sincerity and self-belief, that the poll tax levels in their areas would be £100, £150 or perhaps £160 as a result of the wondrous legislation that was being bestowed upon them. So they voted for every jot and tittle of it. Now they tell us, just two years later, that it has been a wonderful success—in Gravesham if nowhere else—because it is only £300.

The speech of the Secretary of State was definitely the effort of a guilty man. The louder he speaks of his honour, the faster we should count the spoons. Rather than his speech being a serious attempt to address the issues, it was another go-as-you-please turn from the aging matinee idol in which he thought that if he kept the laugh lines coming fast enough, with little jibes at the Opposition occurring often enough, we might not notice that there had been no noticeable progress since he became Secretary of State.

There has been a remarkable decline since the brave days of yesteryear when the right hon. Gentleman was on the Conservative Back Benches denouncing the Tory tax in vigorous terms. Indeed, we are grateful to the right hon. Gentleman for giving us the expression "the Tory tax," which is succinct and accurate. He prophesied that the poll tax would become known throughout the land as a Tory tax, and it has. The electorates in many parts of the country pay testimony to that.

We heard nothing from the Secretary of State about what the Government are proposing. The Tory ranks are in utter disarray over the poll tax because while we have the Gravesham tendency—that everything is all right with the poll tax; at least Gravesham is secure—there are many, probably the majority, on the Tory Benches who yearn for a return to the relatively safe haven of a property tax. Then we have those on the far right among Conservative Members who were so over-zealous and extreme in denouncing a property tax that it would now be a gross embarrassment to many of them to have to return to such a tax.

The comments of the present Minister of State, Scottish Office and of the present Secretary of State for Scotland about a property tax were so hysterically over the top—I am glad to see the Secretary of State coming into the Chamber—that should the Tory party adopt a property tax, they would surely have no alternative but to resign.

Today's leak is that the Government intend to go one better than that. Apparently, not only will they adopt a property tax, but they intend to keep the poll tax as well. That should go down a bundle on the doorsteps. Even in Gravesham the Tories may find some difficulty explaining that one away. Although it may seem a manic proposal, it is in line with the dilemma in which the Secretary of State for the Environment finds himself. All the escape hatches that should open to him have been blocked by the previous pronouncements of many of his hon. Friends.

For example, we are told that the Government are no longer in favour of removing education from local financing and giving the responsibility to central Government. I suppose that that is a pity, if only in the sense that we shall not be able to test the assurance of the right hon. Member for Finchley (Mrs. Thatcher) that such a move would add 7p to the standard rate of income tax. I would have thought that those words from "Her Majesty" would have been regarded on their own as a singular deterrent, in the run-up to an election.

The gearing effect is the key to much of the discussion. Because there are serious hon. Members present who want to talk seriously about the poll tax, let us strip away the rhetoric about so-called high-spending Labour local authorities, and even about Harrogate, and discuss the mechanics of the poll tax which are endemic to it and are the reason why not only Labour local authorities find that they cannot live with it. It will not be long before every Tory local authority in the land will not be able to live with it.

What is happening can be summed up in the three words, "the gearing effect". That means that not only every piece of discretionary expenditure by a local authority but, much more important, every piece of non-discretionary expenditure by a local authority can be piled on to only one narrow base. I can give the House a vivid example from my constituency and from that of my hon. Friend the Member for Cunninghame, South (Mr. Lambie). Our little district council, Cunninghame district council, was unexpectedly and unpredictably faced with a £2 million bill this year for past years' valuation appeals that had succeeded. The council lost £2 million, all of which had to be paid within a year. Under the old system, that £2 million would have been spread across a rating base of commercial and industrial properties, as well as those in the domestic sector. There would have been many complaints and many bleeding hearts, but only a few per cent. would have been added to the rates. However, under the new magical system, no discretion is given to the local authority over its business and industrial rates. Therefore, such extra expenditure can be met only by the poll tax payers. So £2 million piles on to the poll tax in one year, which means an extra £19 on each poll tax bill, which is an increase of over 25 per cent. in the district's share of the poll tax—from just one source, a source which is outwith the control of the local authority. That is the gearing effect in action.

Councils such as Strathclyde and Lothian are cutting tens of millions of pounds worth of services, but are also having to increase their poll taxes by between 30 and 35 per cent. at the same time. Perhaps there was logic in the poll tax, even if it was wrong, cruel and wicked logic, if the Government could say that they would impose on the local authorities the requirement to cut services to keep poll tax bills down, because those local authorities could not go to their electorates with a high poll tax. But there is not even that logic in saying to local authorities, "You cannot provide the services. You must slash the services, but at the same time you must increase your poll tax bills by 30 or 35 per cent." These increases are not in order to improve services, but simply because of the mechanisms built into the poll tax.

That is what has been realised not only in Labour areas, but in Tory areas. That is why the Government cannot live

[Mr. Brian Wilson]

with the poll tax; nor, as I have explained, can they escape from the poll tax, and it is why it will haunt them until the day of the general election.

6.31 pm

Mr. John Bowis (Battersea): We have heard a lot of passion from Opposition Members tonight about people who have not been able to afford to pay their poll tax bills. I share that passion when I hear those things, but the reason why so many people cannot afford to pay is that so many Labour authorities have overspent and overcharged. If anybody has a low income and his or her local authority is meeting the target figures, the poll tax payment is met by the benefit system and the taper that is above it——

Mr. Battle: No, it is not.

Mr. Bowis: Yes, it is—but if the spending goes above that level, it is not, and, if a council charges less, such a person will be in pocket.

The debate has been about the three most fearsome words in the English language, "Labour local government". I am amazed that the Labour party has chosen this subject for its Opposition day. Whenever the Labour party raises this issue, my majority and the Conservative majorities in marginal seats across London increase because we know what the Labour party meant to Londoners when it was in charge. It meant that boroughs such as mine in Wandsworth were no different from the neighbouring boroughs of Lambeth, Lewisham and Southwark, about which we heard so eloquently from my hon. Friend the Member for Streatham (Sir W. Shelton). Wandsworth used to be one such borough. It was run-down. It had an uncaring, hopeless, wasteful council. People did not want to live or work there. It had council estates on which no one wanted to live. Now we have a Conservative council and people are queueing up to buy properties on those erstwhile sink estates. People are queueing up so that their children can go to school in those erstwhile sink schools. That is what can happen under sensitive Conservative council management.

If this is any consolation to the Labour Front Bench, I say, "Please go on referring to local government policy because then we shall again have what we had this year in Wandsworth, which is a Conservative majority of one increasing to a majority of 35."

It might be thought, therefore, that I would say that the community charge is fine. If one is thinking only of Wandsworth, one might well say that there should be no change. However, I accept that the cost of the community charge is unacceptable in some parts of the country for a whole variety of reasons. It is partly because of council treasurers accounting for increased spending and paying off debts and building up reserves. It is partly because of pay deals that were reached in the past. It is partly because of the complexities of the SSA formula and it is partly because of the removal of the subsidy from high-rateable-value areas to low-rateable-value areas. However, we must never forget that it is partly the intentional policy of Labour authorities to charge

"as much as they can get away with".

That was the advice that was given to Labour authorities —I have it in writing—and so many of them did just that.

We must look for alternatives and for ways of making the system more acceptable to more people. Although I shall not go into detail because time is against me, there are two ways of doing that. One could either remove the system altogether through central taxation grant, with local leeway in terms of income from sales and fees, or one could seek a balanced mixture, between the home and its occupants. It should be possible to take into account the size of the home and to multiply it by a neighbourhood factor to produce a household charge that would include the first two occupants. There could then be a flat-rate charge with a maximum of, say, £100 for each occupant thereafter.

Whatever the system, we must achieve two things. People who can afford to pay must pay—and that includes Members of this House. We must also continue to look for efficiency improvements that can lead to a charge that people can afford to pay.

My final example relates to the London borough of Ealing, to which my hon. Friend the Member for Gravesham (Mr. Arnold) referred. That borough went Conservative this year. It has made efficiency savings throughout and the beneficiaries are the residents of Ealing. I suggest that any hon. Member who wishes to speak to such a resident seeks out Mrs. G. Kinnock and her spouse who are better off to the tune of £100—not as a result of good fortune, but as a result of good Conservative management in Ealing.

6.36 pm

Mr. David Blunkett (Sheffield, Brightside): Before I turn to the thrust of the debate, I should like the Minister to answer a number of questions about the Secretary of State's announcement relating to the exemption from poll tax for troops in the Gulf. Although we welcome any such move and, as we have said, wish to see every possible support from Opposition Members for it, we are, to say the least, unhappy about this afternoon's announcement.

It appears that only a small number of people will benefit. What is meant by "the authorities most affected"? What is meant by "significant numbers"? When can discretion be used? Can it be used from today, or does the 61-day rule for single people and the six-month rule for a married man or woman in the Gulf who has a spouse living at home still apply? Such questions are important in terms of the number of people who can claim an exemption, as is the area of the country in which they live. Without reimbursement, local authorities are not in a position automatically to grant an exemption to such people when they cannot grant exemptions to other deserving cases.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Is my hon. Friend aware that the first £10 of a war pension was discounted? In Strathclyde, the Department of Social Security has now instructed Strathclyde regional council that that £10 must now be included. Is he also aware that the husband of one of my constituents is a war hero who lost half his brain in the last war and that, although he is exempt, his war pension must now be included as part of his wife's income for poll tax purposes? Does my hon. Friend agree that that is appalling?

Mr. Blunkett: I agree entirely with my hon. Friend that it is. It illustrates a point made by Labour Members when we were told a few moments ago that those who were badly off were cared for and looked after. We all know that they

are not. What is given with one hand is so often taken away with the other, and that will be so while the poll tax exists. That is why our motion is simple and clear, as my hon. Friend the Member for Dagenham (Mr. Gould) said. It asks the Government to introduce legislation to abolish the tax. Why will not Conservative Members do so? It is because they are in disarray and are divided. There are still some—we have heard them today—who defend the poll tax and there are, of course, those who wish immediately to abolish it.

On Sunday the Secretary of State said in his interview on the "World This Weekend":

"You do not parade your disagreements in public."

I understand that. The Labour party used to do it and it did us no good. But that does not hide the fact that disagreements exist. The solutions being considered by the Conservative party would in many cases result in a worse mess than the one that we have already. Let us take the announcement mentioned earlier which appears to have been leaked to *The Times* today about the two-tax solution —the floor tax and the poll tax. It is what my hon. Friend the Member for Dagenham referred to as the bed-and-breakfast tax. That will be hidden as, not a poll tax at a lower flat rate but a method of charging everyone something, whatever their income.

But, as has already been said, such a solution leads us to ask whether people would be entitled to a rebate on the flat rate poll tax. What would be the administrative costs of collecting it? How would the register be maintained in terms of eligibility for the tax? The confusion and administrative nightmare that would face local authorities in chasing people has already been described.

Of course, we do not need the words of Labour Members to describe the position if taxation had two elements. We have the Home Secretary's words. In the *Daily Mail* on 19 September 1989, referring to what he described as the two-tax nightmare of the Labour party, he said:

"Only Labour would want to replace the unfair rating system with two taxes . . . They will hit millions of homeowners very hard . . . It is a socialist double tax."

It seems to me that if it is a socialist double tax, it must be a Tory double tax. There can be only one thing worse than the Tory poll tax and that is a Tory poll tax plus a Tory floor tax. The floor tax would charge people more for living in a rambling, decrepit terraced house than someone living in a penthouse suite with Lady Porter. In other words, the poorer one is and the more one struggles, the more one pays. Those are the nonsensical ideas coming out of the Conservative party.

The Secretary of State said this afternoon that the focus would be narrowed. When talking about the present consideration of the options, he said that his intention was to narrow the focus by April.

Mr. Patrick Thompson: I am interested in what the hon. Gentleman says about the floor tax. Can he explain whether the roof tax, as proposed for Scotland, is still official Labour policy?

Mr. Blunkett: Labour party policy, which the hon. Gentleman can read in our "Fair Rates", is clear and will involve the modern property tax adjusted according to the ability to pay. It is simple, straightforward and extremely quick to implement, unlike any other option before us. Of course, Conservative Members know that. The simple solution would be to adopt our proposals. That is what is before us today—no floor tax, no roof tax, but a fair tax. That is what we propose.

We must examine what the Secretary of State described on Sunday as "refining the options", which is Toryspeak for "We haven't got a clue." What are the options? A sales tax is clearly out. The Government have ruled out local income tax. They have ruled out our proposals. They will not go straight back to the rating system. So what are they left with? The flat-rate poll tax and floor tax appear to be the only runner, other than removing items from local government. The solution of the Conservative party is, "If you can't beat it, take it." Who in his right mind would want to hand over education to the right hon. and learned Member for Rushcliffe (Mr. Clarke)—the Rasputin of Rushcliffe, as he is rapidly becoming known in the classroom? Who would want to hand over the future of their children and the development of the potential of our loved ones to the tender mercies of the right hon. and learned Member for Rushcliffe? I have three children in school, and I certainly would not.

It is bad enough in an authority such as mine, struggling to maintain the existing budgets and the high-quality service, accredited as one of the top half dozen in Britain by Her Majesty's inspectorate. It is hard enough to keep that service going spending millions of pounds above the standard spending assessment laid down by the Government. If authorities across the country had to reduce their education spending to the SSAs laid down by the Government, there would be enormous cuts in every part of Britain. Those will be cuts brought about by the poll tax. It has also caused misery because of the sums that people have to pay.

Adult education is to be wiped out in Surrey. I had a letter from a lady yesterday appealing to me to put across the message of those who have limited or no Labour representation that their services are being decimated. Those cuts hit people. They are cuts which the former Secretary of State described as a parade of bleeding stumps. The present Secretary of State put it slightly more mildly. In his interview on Sunday, when he talked about likely cuts, he said that there was an element of ritual about them. There is not an element of ritual but there is an element of elderly people not receiving home helps. There is an element of not having books in classrooms that are not fit to use. There is an element of cutting back on teachers and closing schools which everyone knows should be kept open on educational grounds. There is an element of large cuts in Tory authorities—£7 million in Warwickshire and £11 million in Berkshire. There are massive cuts in Surrey. I hope that the hon. Member for Gravesham (Mr. Arnold) will bear in mind that the removal of services to keep his poll tax below £300 hits those who cannot go into the marketplace to buy alternative provision. That is what it is all about.

Far from bringing relief to those in greatest need through extending the rebate system, far from ensuring that we fund services and prevent cuts, the community charge reduction scheme is a simple mechanism to bribe the electorate and to try to save Tory seats such as Ribble Valley.—*[Interruption.]* The Minister says that that is right. It is right. It is an attempt to bribe the electorate into voting Conservative. It is a temporary scheme which will disappear the moment the general election is over. It is a scheme to manipulate and massage bills when the Government know that the real problem is the poll tax.

[Mr. Blunkett]

The community charge reduction scheme compares what with what? It compares the poll tax with the old rating system. The despised rates are now the benchmark by which people are being bribed into believing that the poll tax is not so bad after all. The Government are putting £1·7 billion of our money into a Conservative scheme to help the Conservative party. To cap it all, at a time of recession, unemployment is being accelerated by the cuts. The downturn in investment in infrastructure and capital investment is being accelerated.

We must be absolutely clear. The debate is between those who have a solution which can be implemented immediately and those who wish to buy time, as the Secretary of State clearly showed that he does, in an effort to dig themselves out of a mess of their own making. The mess which the Conservative party has got itself into was not inherited; it was invented by it. It is responsible for the scheme before us today, and it must take the blame in the general election.

The mess in which the Government find themselves is entirely of their own making and they must carry the can. Our simple message is that tinkering is not an option. We say to the Government, "Fiddle with the tax at your peril." We offer the electorate a way out because we offer the British people the only solution, the real choice, and it will be voted on in the by-election and the general election. The British people will have a chance to get rid of the Conservative muddle and confusion and the extra costs and cuts. I ask those people to vote Labour, because we will abolish the poll tax.

6.50 pm

The Minister for Local Government and Inner Cities (Mr. Michael Portillo): It was quite extraordinary to hear the hon. Member for Sheffield, Brightside (Mr. Blunkett) talk about an alternative when, throughout the debate, all Labour Members have refused to talk about any alternative to the community charge. The point was well made by my hon. Friend the Member for Gravesham (Mr. Arnold). Opposition Members have been taking their cue from their leader who recently had a marvellous opportunity to address the Labour party conference on local government. A review of his speech in the *Municipal Journal* said:

> "Mr. Kinnock only made a passing reference to Labour's 'modern rates' scheme.
>
> That will be Labour's tone in the coming general election campaign—when the party will put more effort on exploiting voters' discontent with Government policies like the community charge, rather than promoting enthusiasm for its own."

That is a despicable and disgraceful way for the Opposition to carry on.

The hon. Member for Brightside derided the Government for allegedly having a two-tax policy. We have made no announcements whatever. Not only has his party officially espoused two-tax policies in the past, but apparently it has such a policy now. At the same local government conference, who should rise up and strike down Labour policy than that demon of the supper club the hon. Member for Kingston upon Hull, East (Mr. Prescott). In a speech to a fringe meeting the hon. Gentleman revealed that there should be a regional tax for the new regional assemblies which will also receive Government grant. It appears that, after all, two taxes are now proposed by the Labour party.

The Government have set out on a review of the community charge. Anyone looking for an example of why we should not make announcements until we are ready will find it in the Labour party which has produced a series of half-baked proposals at regular intervals every few months. In our review we shall consult widely and deeply. I am consulting my hon. Friends.

The hon. Member for Dagenham (Mr. Gould) said that the Conservative party had promoted 43 schemes. My only explanation for his comment is that he cannot count beyond 43. Many more schemes have been proposed by my hon. Friends and I am giving them serious consideration. My hon. Friend the Member for Hyndburn (Mr. Hargreaves) is right when he says that the principle that everybody should pay is widely accepted. If the Opposition had listened to the Nick Ross phone-in this morning they would have heard that principle advocated time and again. Labour is in great peril if it gives up the principle that everybody should make a contribution to the cost of local government, because that principle is widely accepted.

It is already clear in this round of community charge setting that once again Conservative local authorities will have the lowest charges and provide the most efficient government, as my hon. Friend the Member for Battersea (Mr. Bowis) illustrated so well. My hon. Friend the Member for Kingswood (Mr. Hayward) said that he is left with two layers of loony authorities imposing desperately high charges on the people of Kingswood and Bristol.

Labour authorities such as Ipswich are budgeting to spend £65 a head over their standard spending assessment and that extra money will have to be paid by ordinary people. By contrast, the Conservative authority in Runnymede will spend £47 a head below its SSA. The Conservative authority of Medina in the Isle of Wight is cutting its community charge in half for the coming year. Labour authorities have exhibited the most staggering cynicism because they have increased their charges for the coming year to what my hon. Friend the Member for Battersea described as the highest level that they can get away with, to the very level at which they know they would be capped if they went a pound over. Cumbria is budgeting only £1,000 below its cap level. It is cynically getting every penny that it can out of the community charge payer.

Mr. Graham: Will the Minister give way?

Mr. Portillo: No. The hon. Gentleman did not speak in the debate.

I am pleased to say that the community charge reduction scheme will provide some help for community charge payers.

I can tell the right hon. and learned Member for Warley, West (Mr. Archer) that his community charge payers living in a half average rateable value property will be better off by £429 per couple. That is the sort of help that we shall provide. My hon. Friend the Member for Berkshire, East (Mr. MacKay) said that his constituents would be up to £250 better off. Even in the constituency of Bootle in the local authority of Sefton the reduction for people on half average rateable value will be £352 per couple.

Mr. Bruce Grocott (The Wrekin): Will the Minister give way?

Mr. Portillo: No, because the hon. Gentleman did not speak in the debate.

Those are enormous decreases in the community charge to be set next year.

The Ribble Valley by-election has been mentioned in the debate. I remind the House that a couple living in that constituency in a property of half average rateable value will have £415 taken off their community charge.

Mr. Grocott: Will the Minister give way?

Mr. Portillo: No, because the hon. Gentleman was not here and did not take part in the debate.

That is real help for the people who need it and will go to those who suffered most from the introduction of the community charge because they had low rateable values.

Several Hon. Members *rose*——

Mr. Portillo: I am sorry, I am not giving way.

Mr. Speaker: Order. This has been a good-natured debate. Let us have the last four minutes of it in good order.

Mr. Portillo: I now come to non-payment, a subject of great interest to the general public. My hon. Friend the Member for Streatham (Sir W. Shelton) spoke eloquently about the inefficiency of the borough of Lambeth in collecting the community charge. He reminded us that 39,000 bills had not been sent out in August and that 13,000 had not been sent out in November. The leader of that council refuses to pay the community charge and, apparently, the Leader of the Opposition now thinks that the borough of Lambeth needs to be sorted out. Is it any surprise that the charge has not been collected and that other people are being asked to pay the difference?

The Opposition have paid lip service to the concept that people should pay their community charge. If they are in favour of that, why is it that 28 Labour Members and thousands of Labour councillors do not pay and advocate non-payment? My hon. Friends have noticed how the Opposition are prepared to deal ruthlessly with those who step out of line on the Gulf. People have been sacked in droves from the Opposition Front Bench and relegated to the Back Benches. When it comes to non-payment of the community charge and people breaking the law and urging others to do so, what does the Labour party do? How many Labour Members have had the Whip withdrawn or any sanctions imposed? The answer is that the Opposition are not concerned about that.

Since the introduction of the community charge, Labour has shown an astonishing degree of insincerity. Labour Members have spoken about unfairness and about the difficulties that some people have in paying, but in practice Labour authorities have heaped up the charge upon people. As I have said, they have set the charge at the level that they can get away with. Again this year they are increasing the charge to the very limit over which they would be capped.

The Opposition have derided the community charge reduction scheme and have refused point blank to join in the review of local government finance being conducted by the Government. They have failed to set out a clear alternative. Indeed, they have struggled hard to come up with an alternative so obscure that it cannot be analysed or pinned upon them. Their entire struggle has been to find something too obscure for the British public to understand.

The Opposition have not only failed to live up to what we have a right to expect of an Opposition, but have shown clearly that they lack the political maturity ever to form a Government. For that reason, I call on my right hon. and hon. Friends to support the amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 229, Noes 325.

Division No. 69] **[7 pm**

AYES

Abbott, Ms Diane
Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Benton, Joseph
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs [illegible]in
Gordon, Mi[illegible]d
Gould, Bry[illegible]
Graham, T[illegible]mas
Grant, Ben[illegible] *(Tottenham)*
Griffiths, [illegible]gel *(Edinburgh S)*
Griffiths, [illegible]in *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James

Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Hara, Edward
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thomas, Dr Dafydd Elis
Thompson, Jack *(Wansbeck)*
Trimble, David
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Wallace, James
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ken Eastham.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Meyer, Sir Anthony
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon Sir Peter

Moss, Malcolm
Moynihan, Hon Colin
Neale, Sir Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

Mr. Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's thorough review of the functions, structure and finance of local government; notes that the Government has provided for a substantial increase in Aggregate External Finance for 1991-92; and welcomes the introduction of the Community Charge Reduction Scheme which will provide £1·7 billion extra help in England for those former rate payers, the elderly and the disabled who have faced the biggest increases in their contributions to the cost of local services.

7.14 pm

Mr. Gavin Strang (Edinburgh, East): On a point of order, Mr. Speaker. It is clear that, since the Prime Minister answered questions this afternoon, an important rift has developed between the position of the United States and Britain towards the Soviet peace initiative and that of a number of other major members of the coalition. As it is hardly possible to exaggerate the seriousness of the situation, may I ask the Government through you, Mr. Speaker, to make a statement later this evening?

Mr. Speaker: That is not my responsibility, but I am sure that those on the Government Front Bench will have heard the hon. Gentleman's comments.

Manufacturing Industry

Mr. Speaker: I have selected the amendment in the name of the Prime Minister. As a large number of hon. Members wish to participate in the debate, it would be helpful if the Front-Bench spokesmen would trim their speeches and if Back Benchers would limit their speeches to about eight minutes each. Then I think that every hon. Member who wished to be called would be.

7.16 pm

Mr. Gordon Brown (Dunfermline, East): I beg to move,

That this House condemns Her Majesty's Government for creating a recession which has led to falling output, falling investment and rising unemployment; deplores the damage that the recession in inflicting on Britain's manufacturing base and all regions of the country; and calls on the Government to prepare a budget for industry and adopt the policies for training, technology and the regions that will build a stronger industrial base.

The motion contains three urgent proposals which will determine the size and success of British manufacturing. The first is our proposal for a budget containing investment incentives targeted on manufacturing industry. The second is our demand for an industrial policy for training and technology, and the third is our call for balanced economic growth through a modern regional policy.

Our argument is that manufacturing matters, that even our service sector depends ultimately on modern manufacturing strength and that the real challenge facing Britain is not to replace manufacturing by services, as some Ministers have argued, but to upgrade our manufacturing industry to make it, once again, the most modern in Europe.

But let us be clear about the extent of the crisis that we face. As Thursday's figures showed, manufacturing output has now fallen £5 billion, a catastrophic loss of production unique in western Europe. Manufacturing employment is now falling below 5 million people to its lowest point in our history as an industrial economy this century—30 per cent. of our manufacturing employment gone for ever under the Government. Manufacturing investment has registered one of its steepest declines since figures were first recorded—a 15 per cent. fall during recent months. Even manufacturing exports are now falling.

Can the Secretary of State name another country in the EC where manufacturing employment, investment, industrial output and exports are now falling at one and the same time? Can he name one country in the EC which is simultaneously cutting its industry and training budgets?

This is a British recession, created by mistakes made first at 11 Downing street and now being compounded by mismanagement at No. 10. Unemployment is up by 53,800 in London and the south-east since the Prime Minister took over in November; unemployment is up by 73,000 in the south as a whole; unemployment is up by 43,000 in the north and the midlands. The Prime Minister, who boasted of a classless society and opportunity for all, has presided over a 125,000 increase in unemployment even before he has completed his first 100 days as Prime Minister.

This is the Government who told us that they were creating real jobs, lasting jobs, jobs in new areas, jobs even in new industries. The truth is that they are now creating real unemployment, lasting unemployment, unemployment in new areas and unemployment even in new industries.

Mr. Tim Devlin (Stockton, South): What does the hon. Gentleman say to Dr. John Bridge, chairman of the Northern Development Company, who says that this recession is different from those in the past because it is hitting the north last rather than first, and that that is because the diversification and change in the industrial structure in the north of England, which has taken place under this Government has strengthened its ability to withstand the shocks of the international market in the future?

Mr. Brown: Is it any consolation for people in the north who are losing their jobs—thousands are now losing their jobs—that they were the last to be hit by recession? The hon. Gentleman has simply admitted the fact that the north is suffering a recession. The unique feature of the recession is that it has hit north and south, high-tech and traditional industry, manufacturing and services, offices and factories. If the hon. Gentleman will not face up to it, I believe that a verdict will be passed on him soon by his electorate.

Let us remember what we have been told by Ministers. It was not just that the Prime Minister, when Chief Secretary, told us that we have an economic miracle at present where Germany had only the economic miracle of the past. As late as June 1990 he was boasting of what he called an astonishing economic transformation. What about the Trade and Industry Secretary in those heady days of the Budget of spring 1988? What did he say? He said that the supply side of the economy had been transformed, and that we were on top of the world league both in manufacturing industry and in growth. He is nodding. What of the Under-Secretary of State? What did he say in 1988? In his bid for office he said that the 1988 Budget was the last goodbye to the low-growth economy of the 1970s.

Mr. Quentin Davies (Stamford and Spalding): Is the hon. Gentleman suggesting that, if we had a Labour Government, they would abolish the trade cycle and that we would no longer have recessions? Is he aware that in the 1980s we had the longest boom this century?

Mr. Brown: The hon. Gentleman would do well to listen to some of his constituents. As I calculate it, his constituency has experienced a rise in unemployment of 26 per cent. over the last year.

Mr. Davies *indicated dissent.*

Mr. Brown: He denies it.

Mr. Davies: The rise of which the hon. Gentleman is speaking is a rise from 3 to 4 per cent. It was a rise from an extremely low base. Once again, he is confusing the House with illusory statistics.

Mr. Brown: The hon. Gentleman will have to face his electorate one day. May I remind him of what he said to his electorate in 1987:

"Interest rates, vital to every home-owner and every family in business—we have brought them down . . . Let's continue to keep inflation down."

That was just before the Government doubled it, and doubled it again. *[Interruption.]* Hon. Members are expressing astonishment. It was Conservatives who told us that they had abolished the economic cycle. They gave us

the impression that the economic cycle was a thing of the past. It was Conservative Ministers who said that we were on a self-propelling plateau of growth.

Let us examine what is happening round the country. The president of the Engineering Employers Federation says:

"The country will crash into the buffers".

He also says that the Government seem hell bent on moving towards a peasant economy. Why? Because policies have been based on a short-term fix. Let us consider what other business men are saying. Mr. Keith Goodman, of Leonard Curtis, says:

"It is a blood bath. This year is going to be horrendous, far worse than 1990."

What about Mr. Taylor, managing director of Britain's biggest machine tool producer:

"I feel bitter about this economic cycle. Industry has had to foot the bill."

Companies are going bankrupt not because they are overmanned, overcommitted, overmanaged, overunionised or overcommitted to obsolete technologies or products. The companies that are now being lost in hundreds are fit, well-managed companies in the forefront of new technology. They are not going bankrupt because of fundamental failings of the work force or of management, because of a lack of will to sell and to survive, or because of a lack of dynamism or ingenuity, but because they have been weighed down and overburdened by the highest interest rates in western Europe, twice what they were three years ago. Interest payments are a £30 billion burden on British industry; in 1979 they were £6 billion. Interest rates have been too high for too long, at too great a cost to too many companies.

Mr. William Cash (Stafford): Has the hon. Gentleman looked at the unemployment figures which came out this afternoon? Has he also observed that the 17 constituencies which have the highest unemployment rates are Labour constituencies? However, many of them have a net increase in employment.

Mr. Brown: I do not know where the hon. Gentleman has been for the last 11 years. Unemployment is higher in the constituencies of all my hon. Friends than it was in 1979, and in most cases it is more than 50 per cent. higher. If the hon. Gentleman will not face up to the fact that unemployment is rising not only in Labour constituencies but in Conservative constituencies, I fear for his future even as a Member of Parliament.

Mr. Keith Mans (Wyre): Does the hon. Gentleman agree that excessive wage claims lead to high unemployment?

Mr. Brown: The hon. Gentleman does not seem to have been here during the last few years. Of course, wages have an influence, but everybody knows that companies are going bankrupt because they have faced high interest rates for the last two and a half years, and that those high interest rates have eventually pushed them under.

Mr. Patrick Nicholls (Teignbridge) *rose*——

Mr. Brown: I am not giving way. I gave way to the hon. Gentleman twice in the last debate when he clearly did not know what was happening.

Mr. Frank Haynes (Ashfield): Is my hon. Friend aware that he is so good at his job that the central control office of the Conservative party has told all the Conservative Members to rough him up?

Mr. Brown: I, too, have read a newspaper report, but I wish to keep to the subject.

Several Hon. Members *rose*——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. Many people, including me, would like to hear the debate.

Mr. Brown: The interventions are so incompetent that they will make no difference to the case that I am putting forward.

Mr. Phillip Oppenheim (Amber Valley) *rose*——

Mr. Brown: I am not giving way. Mr. Speaker made it clear at the beginning of the debate that I should limit the number of interventions so as to allow other hon. Members to make their contributions. Unfortunately," on this occasion that is what I will have to do.

Let us examine what has happened to manufacturing since 1979. Since 1979 production in manufacturing has increased by 22 per cent. in Germany, by 20 per cent. in Italy, by 19 per cent. in Spain, by 30 per cent. in the Netherlands, by 37 per cent. in America, by 57 per cent. in Japan but by only 7 per cent. in Britain. Production in mechanical engineering is down by 5 per cent., in metals by 9 per cent., in textiles by 26 per cent. and in man-made fibres by 35 per cent. Britain's manufacturing economy has fallen behind France; during the lifetime of the Government it has fallen behind Italy and it is falling to the size of Brazil.

Mr. Anthony Coombs (Wyre Forest) *rose*——

Mr. Brown: I am not giving way.

The old west Germany now exports two and a half times as many manufactured goods as Britain. Imports of computers have increased by 500 per cent. since 1979, of electronics by 161 per cent., and of precision and optical instruments by 297 per cent. In a debate on manufacturing the single fact that damns the record of the Government is that manufacturing output at home has increased by 7 per cent. while manufacturing imports have increased by 236 per cent.

What of investment for the future? Italy has increased its manufacturing investment by 30 per cent., Netherlands by 50 per cent., France by 57 per cent., Germany by 60 per cent., and countries such as Luxembourg, Belgium and Ireland by more than 100 per cent. Britain has increased it by a total of 5 per cent. only—and that has fallen as we debated these matters during the past few weeks.

The Government say that the prize at the end of this recession is an inflation figure comparable to that in Italy, Germany and France. The truth is that the price we will pay for this recession is a permanent reduction of industrial capacity, taking us down far below the levels of France and Italy—falling, I am afraid, to the levels of Brazil.

What have Ministers done about these issues? They were warned in 1984 by the Trade and Industry Select Committee that the Government must take further

"action to prevent the . . . decline of the UK's manufacturing base".

[Mr. Brown]

In 1985 the Government were warned by the House of Lords, in a much-reported document, about the disastrous consequences of letting manufacturing decline. In 1986, the former Cabinet Minister, who is now a Cabinet Minister again, the right hon. Member for Henley (Mr. Heseltine), made a plea that manufacturing should be taken seriously with his call for an industry and a regional policy. In 1987 the Department of Trade and Industry Select Committee called for a strategy, particularly for the new industries in information technology.

In 1988, the Government's own Advisory Committee on Science and Technology recommended action on Opto electronics and yet the Government did nothing. The CBI warned that we faced the prospect of falling behind, and now the CBI is calling for a technology policy. The Advisory Committee on Science and Technology is calling for new measures to help growing firms. The Policy Studies Institute is worried about the Government's failure to take the long-term seriously and still the Government do nothing. What have they done over the past few weeks? The only thing that they have done is publish the autumn statement with their proposals for investment by the Department of Trade and Industry in the future. Planned investment in collaborative research is to be cut by 35 per cent.——

The Secretary of State for Trade and Industry (Mr. Peter Lilley): The hon. Gentleman said that the CBI was critical of some technological policy. Is he aware of the press release that it has issued today, responding to some measures that I have announced in the past few weeks? It states:

"This is just what we wanted, and goes a long way towards meeting the recommendations designed to help innovative smaller firms made by the CBI last year".

Mr. Brown: It is a pity that the scheme that has been reintroduced by the Minister is very similar to the scheme which was cut by his predecessor. Even the SPUR scheme —many members of the CBI feel strongly about this—is for only £10 million a year which is £30 million after three years. Cuts in research and development and cuts in the technology transfer budget are going ahead. Regional industrial incentives are being cut by 35 per cent; export services have been cut by 13 per cent. At a time when we have a huge trade imbalance, there are cuts in support for trade fairs and for the export marketing research scheme.

The do-nothing Department is now ensuring, by its failure to act, that thousands more will soon be condemned to do nothing because of it. What alone in the DTI's budget has seen a very big increase? Only the budget of the insolvency service, whose responsibility it is to wind up the affairs of failed companies. There has been a 30 per cent. increase in the budget for the insolvency service. With productivity savings, that means that it will be able to deal with the insolvency affairs of 50 per cent. more companies in the coming year.

At a time when Britain's industry needs support for training, for technology, and for investment, what is the best that the Department of Trade and Industry can offer the companies of Britain? A bigger, better, and more efficient burial service for companies.

Trust Government Ministers to find the only part of their budget that deals with the demise of companies and increase it, while denying funds for everything else. The Secretary of State is like a clergyman presiding over a crumbling congregation, no longer officiating at baptisms or marriages, only at funerals—*[Interruption.]*

Madam Deputy Speaker: Order. I would be obliged if hon. Members would not comment from sedentary positions. If they are seeking to intervene, then they should do so, but such comments do not improve the standard of debates in this House.

Mr. Brown: What does the Conservative party, say when the Labour party voices the concerns of manufacturing industry? I have here a document, issued by the Conservative party entitled—and it does seem an irony now—"The Revival of British Industry" in which it said:

"An abiding feature of the Labour party's industrial policy is its obsession with manufacturing industry".

It goes on to characterise the Labour party's view as "this outdated attitude". Is it outdated to say that we should do our best to succeed in an area which employs more than 20 per cent. of our work force, and is responsible for 80 per cent. of our visible exports? Is it an obsession to say that manufacturing matters? Do they say that in Germany, France or in Italy? Do they talk about people being obsessed or outdated when they voice the concerns of manufacturing industry?

Is not it the case that, in every area where the Government should have enabled industry to succeed, the Department of Trade and Industry has done absolutely nothing? Without putting in place the technology transfer network that we have proposed, and without creating the one-stop small business service, which is essential if small businesses are to develop in this country—

Mr. Lilley: Is the hon. Gentleman unaware that there are 12 regional technology centres providing precisely the technological transfer service that he recommends? It already exists.

Mr. Brown: I am not only aware of its existence; I am also aware that the Government are cutting the budget for technology transfer centres.

Let us consider what the Government have taken away. They have abandoned the micro-electronics applications project, they have abandoned MAP training, they have abandoned the efficient ship programme and the resources from the sea programme—

Mr. Lilley: The hon. Gentleman said, sotto voce, that I had cut the innovation budget. That is up by 19 per cent. in real terms.

Mr. Brown: The right hon. Gentleman should listen to what I said, which was that the Government had cut the technology transfer budget.

Mr. Lilley: That has been doubled.

Mr. Brown: The right hon. Gentleman should consult the public expenditure White Paper, issued by his Department last Tuesday. He will find that the technology transfer budget has been cut by 2 per cent. Perhaps Ministers are no longer told what cuts are taking place in their own Departments.

What of the regions? Britain needs a regional policy, in the interest not only of the north but of the south. It is in the interests of the whole economy, because it creates balanced economic growth, without which this country cannot succeed. At least the Minister cannot deny the strength of what is happening in the regions because of

cuts made by his Department. He has cut the value of regional incentives by nearly 40 per cent. The Department has spent £9 million on regional enterprise grants, which were to be the shining light of his Department and on which £42 million was to have been spent in the past two years—it has under-spent by £33 million which is almost 75 per cent. of the budget.

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Brown: No.

Mr. Nicholls: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. Is it a point of order, or a point of annoyance?

Mr. Nicholls: It is a point of order. The Chair always protects the right of Back Benchers in the House so that we can join in debates. The hon. Member for Dunfermline, East (Mr. Brown) is refusing to give way—my right hon. Friend the Member for Shropshire, North (Mr. Biffen) had to point that out in the last debate in which the hon. Gentleman came to the Dispatch Box. You reprove us, quite understandably, for making sedentary interventions, but the hon. Gentleman will not give way to standing interventions.

Madam Deputy Speaker: Order. If an hon. Member refuses to give way, I have to protect him if he has the Floor. I would do exactly the same if the hon. Member for Teignbridge (Mr. Nicholls) had the Floor.

Mr. Brown: I recall giving way on about 14 occasions in the last debate, including twice to the hon. Member for Teignbridge (Mr. Nicholls), and I regretted it afterwards because he did not know what we were talking about during that debate.

Let us consider what is happening in the north-west of the country, which is vital to our manufacturing future and yet 290,000 jobs have been lost there during the period of this Government. It is obvious that we should create a regional development agency for the area. We need regional incentives that are targeted on technology and training. We need to build a modern technology transfer network that is first rate and not underfunded. We need a proper company service for small businesses. However, Ministers persist in doing absolutely nothing.

During the last few weeks I have looked at what has been written by the No Turning Back group. The Secretary of State is a member of that group. Moreover, the Minister of State and the Under-Secretary of State responsible for regional policy are also members of the group. What message are they sending out to the north-west, to the regions and to the electors of Ribble Valley? According to a publication entitled "Industrial and Regional Policy" —a document about Europe, though it ventures into other areas, as ideologues are often wont to do—they say:

> "Neither Government nor the European Community can create real jobs. They can only arbitrarily shift opportunities from the naturally successful part of the economy to the naturally ailing. There is no clearer illustration of this than the so-called regional policy."

Those are not the ravings of a Young Conservatives fringe meeting. They are the stated views of the No Turning Back group which only a few months ago published that document. It went on:

> "The money might . . . have created economic activity and jobs for which there was a demand rather than the phoney activities sustained by Government."

Now we know the real views of the Under-Secretary of State, who is responsible for the regions, as well as the real views of the Minister of State, who was a co-author of the document, and of the Secretary of State, who, as a Government Minister, was unable to sign it, but who clearly is very much in touch with the views represented by that group.

Germany and Italy invest twice as much in the regions as we do. In France there is a regional technology organisation of considerable stature. Japan has invested in technopolies to safeguard the future of its industries. Japan does not consider, as Ministers in this Government apparently do, that regional policies represent a phoney activity. It does not want its regions to be ailing parts of the economy; it believes that a sound regional policy can make a difference to the overall economy. However, what do Government Ministers who are members of the No Turning Back group say? According to the document, they say that

> "If national governments choose to spend money on providing special forms of assistance, it should be their own, not Europe's. Countries which choose to do so will pay a price by handicapping successful industries . . . Even the massive training and start-up schemes initiated by all European Governments, including our own, can be questioned."

That is an argument not just against a regional policy but also against a training policy and a small business policy.

Are those Ministers who signed the document and who support the group saying that there is no case whatsoever for any form of regional industrial policy in this country and that there is no case for assisting balanced economic growth throughout the country? If that is what they say, they should tell the voters of Ribble Valley and all the voters in the north-west. They will never convince the regions that a policy of opportunity for all, which is what a regional policy ought to be, should be replaced by the No Turning Back group's policy, which is based on a free-for-all.

The Government ought to prepare a budget for industry that includes incentives for industry and puts industry——

Mr. Nicholls: How much would it cost?

Mr. Brown: The Government ought to put industry before the top rate tax cuts that have dominated this Government's philosophy since 1988, when the hon. Member for Teignbridge supported a Government who throughout the last three years have given £8 billion to those in the top rate tax bracket. That money could have been better used for other purposes. Nevertheless, they have questioned our public spending policy.

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Brown: They have spent——

Mr. Nicholls: Will the hon. Gentleman give way?

Madam Deputy Speaker: Order. The hon. Gentleman is not giving way.

Several Hon. Members *rose*——

Madam Deputy Speaker: Order.

Mr. Roger King (Birmingham, Northfield): On a point of order, Madam Deputy Speaker. You may have noticed

[Mr. Roger King]

that the digital clocks have stuck at 5.17. The hon. Gentleman is making a long speech, but it is not quite as long as that. If we have to use the analogue clocks at either end of the Chamber, will you make a request that the television lights should be turned down? It is a little difficult to see the clocks because of the reflection of the lights on the glass covers.

Madam Deputy Speaker: This is a very short debate. I think that anyone with common sense will want the House to make progress.

Mr. King *rose*——

Madam Deputy Speaker: Order. That was not a point of order.

Mr. David Shaw (Dover): On a point of order, Madam Deputy Speaker. Could you please ensure that the Vote Office has adequate supplies of the annual report——

Madam Deputy Speaker: Order. The Vote Office has all the papers that are necessary for the debate.

Mr. Shaw *rose*——

Madam Deputy Speaker: Order.

Mr. Brown: If Conservative Members do not want to hear about manufacturing industry and its future, we shall certainly make sure that the country hears about it.

I was talking about the claims that the Conservatives made about the difference that their 1988 Budget, and successive Budgets, would make to the fortunes of industry, particularly manufacturing industry. In 1988 the Secretary of State for Trade and Industry said that the Budget would powerfully reinforce the measures that had revitalised our economy during the last eight years and that it would bring us prosperity, generate jobs and restore national pride. The Minister who is now in charge of regional policy said that words such as "historic" and "radical" were not enough—that words such as "progressive" and "exciting" summed up a Budget on which he warmly commended the Chancellor of the Exchequer.

We were told at the time that the top rate tax cuts announced in the Budget would transform British industry. We were also told that they would propel us irreversibly towards a new phase of endlessly renewable prosperity. We were told that the top rate tax cuts would stop tax evasion, raise charity donations, cut the emigration of top scientists and engineers, enhance the performance of top management in industry and, by the trickle-down mechanism, make even the poor less poor. What has happened since those claims were made in 1988? As is the way with false prospectuses, nothing is quite what it seems. Donations from the rich have fallen, tax evasion has continued, poverty has soared, scientists—as we saw this week—are leaving this country in record numbers.

Mr. Nicholls *rose*——

Mr. Brown: What of the biggest and most important economic goal of all—that British industry would be galvanised into making new and effective efforts? Where is the evidence for the cost effectiveness of handing out £10 billion of public money in tax cuts by the end of this financial year?

Mr. Nicholls *rose*——

Mr. Brown: What value for money has been achieved for the British taxpayer and what difference has it made to British industry?

Mr. Nicholls: On a point of order, Madam Deputy Speaker. The hon. Gentleman is making various claims. Are we not entitled to give an answer?

Madam Deputy Speaker: If there is time, I hope to be able to call the hon. Gentleman to answer those claims.

Mr. Brown: What evidence is there for the cost effectiveness of the 1988 Budget? I have just read a study published in the past few days. Only 1 per cent. of the beneficiaries of top rate tax cuts, according to the study, claimed that, as a result of the hand-outs that they received, they had worked harder. Almost as many conceded that after receiving the tax cuts they had decided to work less hard. In a study specifically of accountants —men in suits, not fast-lane speculators; accountants whose job is to be responsible about money—did they save, invest, give to charity? Twenty-five per cent. said that they spent more, 13 per cent. simply went on more holidays and, after two years of tax cuts, 10 per cent. had decided to retire early.

This has been the result of the £10,000 million to be given away by April 1992, yet the same money could have financed investment in skills and technology; it is being thrown away in a consumer boom, in holidays and in early retirement. The Government tell us that they are the efficient and responsible managers of the economy. If that is what was intended at that weekend in Chevening in January 1988, attended by the then Chief Secretary, now Prime Minister, by the then Financial Secretary, now Chancellor, and by the then Economic Secretary, now Trade and Industry Secretary, and if all these are the effects of that £8 billion give-away so far, that weekend must surely go down as the most expensive in British history.

The weekend, the first gathering of the men of Chevening, was not a one-off event. The three—Chancellor, Trade and Industry Secretary and Prime Minister in their new roles—met again in January 1989 to plan another Budget, and when it was clear that what they had discussed in 1988 had gone wrong they took further action and interest rates went up again. They met again in January 1990, when it was clear that what they had discussed had gone wrong again. They decided to compound their previous offences, so the economy has been pushed into recession. These are the men who, after failing in the past and creating the problems that we now face, have the audacity to tell us that they can solve the problems of the future.

It would be more convenient for the Trade and Industry Secretary if he could have moved straight from the City to his job at the DTI; it would be more convenient for the Prime Minister if he had moved from his position as social security Minister before 1987 to Prime Minister with no intervening period of economic responsibility, but the truth is that the present first Lord of the Treasury was also very recently the second Lord and before that the Chief Secretary. For three years the three talked and acted as if manufacturing industry did not matter—as if the trade deficit was of no consequence, as if a policy for industry was some sort of outdated, Marxist conspiracy. For three

years their actions were entirely consistent with their words. How can they expect now to have any credibility when they tell us, in contrast to everything they said and did before, that now somehow manufacturing matters, that somehow industry is a matter of close concern and that somehow the trade deficit is something that they recognise to be a problem?

They cannot change their story, cover their tracks, deny responsibility or minimise the consequences of what they have done to manufacturing industry. We know where they were, what they said and what they did, and we know what has happened to British industry as a result. As their own Department of Industry inspectors would have it, they are not fit and proper persons to run an economy.

As is now clear, Britain needs a new policy for industry, and that will require a new Government. We need a policy for industry to bridge the training gap with our competitors by setting high-quality standards and targets in a national strategy locally delivered, with a guarantee that all young people can enjoy training and all employers undertake it. We need a strategy to bridge the technology gap by encouraging companies to invest in civil research, encouraging more small firms to do more in near market research and by encouraging technology transfer in each region in a high-class scheme, so that even the smallest businesses have access to new technology as fast as possible. We need a policy to bridge the regional gap by creating regional development agencies and a new technology service in the regions—policies which we have proposed and will develop in our industry policy document, to be published next week.

Here we have a Government whose Prime Minister promised us a classless society and opportunities for all. They are guilty of unfairness and incompetence, injustice and inefficiency. Britain needs a society that is built on social justice and on economic prosperity, where growth is both sustained and shared. For that, people will have to look to Labour.

7.54 pm

The Secretary of State for Trade and Industry and President of the Board of Trade (Mr. Peter Lilley): What a tour de force! Almost every fact that can be checked was wrong. Almost every policy that the hon. Member for Dunfermline, East (Mr. Brown) attributed to me was that of another group, laid out in a document that I neither wrote nor signed; and he brought forth not a single policy of his own of which any details were available.

The hon. Member for Dunfermline, East poses as a friend—

Mr. Gordon Brown: Just on one of the many proposals that I put forward, what is the Secretary of State's objection to regional development agencies in England?

Mr. Lilley: The fact is that they already exist.

Mr. Brown: Will the Secretary of State, who seems to be an expert on these matters regional, tell us where these regional development agencies exist in Britain?

Mr. Lilley: We have a budget of £4 million devoted to them every year. They cover a variety of regions.

Mr. Brown: Does the Secretary of State agree that there are regional development agencies in Scotland and in Wales—the one in Scotland is to be renamed Scottish Enterprise—but that at the moment there are no regional development agencies similar to those in England? If he does not know that, he is not fit to be Trade Secretary.

Mr. Lilley: I am perfectly aware that the regional development agencies that exist do not have the full powers and budgets of those in the regions.

The hon. Member for Dunfermline, East three times repeated that we should introduce regional technology centres. They already exist. The hon. Member for Dunfermline, East poses as a friend of manufacturing industry, but he has never had a single good word to say about the achievements of British industry in the past decade. Yet everyone actually involved in manufacturing knows that industry has been transformed since the 1970s. Every manager I meet knows that productivity has been transformed. Every employee I meet knows that industrial relations have been transformed. Every customer, particularly overseas customers, that I meet recognises that the quality of British products and the speed and reliability of their delivery have changed out of all recognition.

The hon. Member for Dunfermline, East described the past eleven and a half years as "a complete failure". Most people in business regard that as an ignorant insult. The Opposition may wish to return to the overmanned, unmanageable, strike-ridden, loss-making, state-dominated industry of the Labour 1970s—but no one else does.

It is very much the hon. Member's style to denigrate what he pretends to befriend. He claims to be the friend of manufacturing but rubbishes its achievements. He claims to be a friend of Scotland but constantly runs down his country's performance. He claims to like the market but constantly harps on its failures, excesses and shortcomings. I suppose that I should take his personal criticisms of me as just an overture of friendship.

The transformation in individual firms shows up in the performance of entire industries. Let us take the motor car industry, for example. During the 1960s and 1970s it received every kind of help that Labour Governments know how to give. They reorganised it, subsidised it, regionalised it, nationalised it and unionised it practically out of existence, until output was halved. Yet last week Hamish McRae, writing in *The Independent* said:

> "Amid the recessionary gloom, some cheer: one British industry is undergoing an utter renaissance. Within the next few years it will be in overall balance of trade surplus for the first time since the 1950s . . . it is the automotive industry, for so long the lame duck of British manufacturing . . . Export production over the six months to end-January was up 90 per cent. over the same period a year ago."

That is the consequence of eleven and a half years of the policies that the hon. Member for Dunfermline, East described as "a complete failure."

As for manufacturing as a whole, the most important change of all is the turn-around in manufacturing productivity growth. In the 1960s we were bottom of the major industrial countries league, at two-thirds the average growth of productivity of the rest. In the 1970s, we were bottom again, and had slipped to half the average. Yet in the 1980s we saw the fastest rise in manufacturing productivity—faster even than that in Japan and more than twice as fast as that in Germany.

Of immense long-term significance has been the secular recovery in profitability in the latter half of the 1980s, to the best levels for nearly 20 years. How significant,

[Mr. Lilley]

therefore, that the hon. Member for Dunfermline, East did not even utter the word "profits". It is profits—not Government subsidies, penalties or cajoling—that are the key to improved investment, more research and development and better training. Profits make spending on those activities both possible and attractive. Since 1979, business investment has risen by 50 per cent.—again faster than in both France and Germany. Manufacturing investment is as high a proportion of value added in this country as it is in Germany and a higher proportion than it is in the United States of America.

In today's markets, it is not just quantity but quality that counts. My Department has led the way in encouraging total quality management systems. The British standard established in 1979 has effectively become the European and international standard. British companies are way out in front in gaining certification for quality. Already, 12,000 have done so. That compares with just 200 in France; and in Germany the process is only just getting off the ground. Does the hon. Member for Dunfermline, East think that that is evidence of a complete failure of industrial policy? What an insult to 12,000 high-quality companies.

The growing competitiveness of British goods is demonstrated above all by the rise in exports—a rise of more than 50 per cent. over the past decade. Let us not forget that Britain exports 20 per cent. more per head than do the Japanese.

The Labour party has opposed and criticised almost every measure that we have introduced to help and encourage British business.

Mr. Tony Worthington (Clydebank and Milngavie): If we are so successful, why is it that we cannot afford to let the economy grow because our exports will be dwarfed by our imports?

Mr. Lilley: The reason why we have to have a tough period of tight monetary policy is to get inflation down, as the hon. Gentleman well knows.

Mr. Nicholas Budgen (Wolverhampton, South-West): Is not the money supply now firmly under control? Is not the Government's target of M0 between 0 per cent. and 5 per cent. per annum? Is not it rising at a little over 2 per cent? Is not the problem today that we have excessively high interest rates because we are in the ERM?

Mr. Lilley: My hon. Friend is right to point out that the money supply is within its target. I am not sure why he objects to that or to the measures that have brought it about.

As I was saying, the Labour party has opposed and criticised almost every measure that we have introduced to help and encourage British business. When we cut corporation tax to one of the lowest rates in any of the industrialised countries, the Labour party opposed it. When we tackled the excessive union powers to which the Labour party's trade union paymasters were attached, Labour Members opposed every reform. When we returned 42 nationalised industries—many of which had cost taxpayers billions of pounds in subsidies—to the private sector, the Labour party opposed every single denationalisation. Nowadays, Labour Members claim that they accept virtually all of the changes that they have opposed so vehemently over the years.

Mr. Richard Caborn (Sheffield, Central): The right hon. Gentleman has referred to the return to the private sector of publicly owned industries. Industry has to be helped with its electricity bills. The electricity bill of United Engineering Steels in my constituency—it is not a small company—is to rise by about 30 per cent. or £12 million. It was paying out about £50 million for electricity. That company has pointed out that that figure is 17 per cent. above what the French pay and 10 per cent. above what the Italians pay. It has been making strong representations because such an increase represents hundreds of jobs lost in the industries to which the right hon. Gentleman has referred, whose productivity has been increased once more and which have good industrial relations but which are now being crippled by an increase of about 30 per cent. in electricity charges.

Mr. Lilley: The hon. Gentleman knows that overall tariffs came down and that individual large users are in a position to negotiate better deals if they wish.

Nowadays, the Labour party claims that it accepts all the changes that we have introduced and that it opposed. Can anyone doubt, however, that if Labour got back into power, it would tax and regulate, and renationalise, British industry as it has always done? British industry certainly does not need friends like that.

I know that the present recession is painful, although this time manufacturing is bearing proportionately less of the burden than in past recessions, and services are bearing rather more. The defeat of inflation has to be our overriding priority. The very severity of the present measures means that inflation is likely to come down all the more rapidly.

Mr. Giles Radice (Durham, North): The Minister may have seen the latest CBI report, which shows that manufacturing investment is going to fall very sharply; indeed, it is already falling. What do the Government propose to do about that?

Mr. Lilley: The hon. Gentleman will hear shortly of some measures that I am introducing, which have been announced today. [HON. MEMBERS: "What are they?"] I shall come to them shortly.

As a result, subject to the disciplines of the exchange rate mechanism, in time, interest rates will come down further too. Output will recover and non-inflationary growth will resume. By contrast, the siren voices of Opposition Members urge us to cut interest rates prematurely and push the pound down. That would give a jolt to costs and inflationary expectations. The agony of getting inflation down would be indefinitely prolonged. Cannot Opposition Members see that?

There is a clear choice—on the one hand, an inevitably painful recession, resulting in the prize of low inflation and a rapid return to non-inflationary growth, and, on the other, a self-defeating attempt to escape the pain, which would entrench inflation, bring back high interest rates and result in the prolonged agony of stagflation.

The most significant thing about the speech by the hon. Member for Dunfermline, East is what he did not say about inflation. He did not say that Labour would make the defeat of inflation a priority. That is all the more odd

because the Opposition are pretty promiscuous with their priorities. The hon. Member for Dunfermline, East last week made a reduction in interest rates his top priority. On the "Today" programme during the week, he added Government investment in industry as top of his "rigorous choice of priorities".

Tonight he has added getting output rising again, training, regional assistance and investment in the regions to his growing list. The Labour party's approach to priorities reminds me of that of the Congolese president who, to cope with discontent in his army, promoted everyone to the rank of colonel. Labour has promoted almost everything to the rank of priority.

There is one conspicuous exception. Labour Members have not mentioned the defeat of inflation as one of their priorities. To be fair, they have never really pretended that it is a priority. We can tell that from their attitude to interest rates—whatever the level, they advocate a cut, regardless of its impact on sterling in the ERM. The House knows that they have no response to inflation—except, when it comes to it, devaluation. Labour has always been the party of devaluation: it is still, at heart, the party of devaluation. It is the party that fuels inflation rather than defeats it.

Mr. Budgen: My right hon. Friend refers to devaluation, but devaluation does not cause inflation, does it? My right hon. Friend will agree that devaluation has an effect on some prices but not on all prices.

Mr. Lilley: Measures that cause the weakness of the pound cause inflation.

Mr. Alex Carlile (Montgomery): Are we to take it from what the right hon. Gentleman has said that the Government are ruling out completely any question of devaluation, whether under that or any other name?

Mr. Lilley: Of course we do; of course. There is no question, having entered the exchange rate mechanism, of not sticking by the disciplines of it. *[Interruption.]* That is scarcely a discipline.

Mr. Worthington: Will the right hon. Gentleman give way?

Mr. Lilley: I have given way to the hon. Gentleman once already; I shall not do so again.

Let me deal now with the subject of innovation. The hon. Member for Dunfermline, East was right to emphasise its importance—particularly for manufacturing. It is absolutely crucial. But saying that it is important is not a policy. Denigrating industry's achievements in innovation is not a policy. Saying that there is not enough research and development is not a policy.

The hon. Member for Dunfermline, East simply has no coherent policy on the issue. The key is to recognise that the prime source of spending on research and development must be companies themselves. In the late 1970s, when profits were squeezed to the bone and the tax rate was 52 per cent., it was small wonder that spending on research and development was pitiful. But as profits have been restored, spending on research and development has accelerated. Over the last five years for which figures are available, it rose by nearly 50 per cent. in real terms and any research and development problem that this country may have certainly does not spring from lack of spending by Government.

The British Government spend nearly £3 billion a year on civil research and development. That is more, as a percentage of gross domestic product, than Japan and the United States. What is more, our academic scientific research effort has been outstandingly successful. Our scientists have won more Nobel prizes than those of any other country except the United States, and 13 times as many as the Japanese.

But, as a country, we have not until recently been successful at exploiting industrially that wealth of scientific talent. The Government have to help to bring industry and the scientific community together. One way to do so is by establishing industrial science parks alongside our universities.

I was delighted to see that Labour's previous policy document recognised the value of science parks. But the previous Labour Government treated them with what George Brown once called "a total ignoral". There were just two science parks at universities when they came to power, and there were still only two when they departed in 1979. Today there are 39 science parks in our universities —and 22 more are planned.

Mr. Keith Vaz (Leicester, East): Does the Minister accept that it is not just about winning prizes? Mention has been made of the firm Bridgeport Manufacturing in Leicester, which won the Queen's award for industry in 1986. However, six months ago it had to make 100 people redundant because of Government policy. What words of comfort can the Minister offer the employees of Bridgeport Manufacturing, which now faces closure?

Mr. Lilley: It is not just a question of winning prizes, which was my earlier point. I know that it is painful for many companies facing the current recession, but it would be far more painful to act foolishly, cut and run, and take soft options. That would mean a prolonged agony rather than a short, sharp shock.

Smaller firms play an important part in science parks and can play a particularly impressive role in bringing new technology to the market place. Two weeks ago, I announced a new scheme, SPUR—support for products under research—which provides 30 per cent. grants up to a maximum of £150,000, for the development of new products and processes.

Today, I have announced two further schemes to help smaller firms. One of those schemes will provide grants of up to £50,000 for expert consultants to help firms introduce modern manufacturing systems. The second scheme will help smaller firms to use local experts—from universities, polytechnics and research organisations—to solve technological problems. Together with SPUR, they will give a £50 million boost to innovation by smaller companies. That is a 25 per cent. increase in the grants available for smaller firms to encourage innovation.

The Confederation of British Industry has welcomed those measures, saying:

"This is just what we wanted and goes a long way towards meeting our recommendations".

The hon. Member for Dunfermline, East made a number of mistakes in his speech, but the most glaring of all was his suggestion that we had cut the technology transfer budget by 22 per cent.

Mr. Gordon Brown: I said 2 per cent.

Mr. Lilley: The hon. Gentleman is wrong either way, because the figure is on page 12 of the report.

[Mr. Lilley]

[Interruption.] The hon. Gentleman has the report, and that makes it all the more reprehensible that he gave a false figure. The report shows that technology transfer will almost double from £11 million to £21 million over the next year. Will the hon. Gentleman withdraw his allegation?

Mr. Brown: The report states that, for 1991-92, £21 million will be spent and that for 1993-94, £20 million will be spent. If that is not a cut, what is? That does not take account of inflation, so the real value is being cut.

Mr. Lilley: The hon. Gentleman calls that a 2 per cent. cut, but the amount will be nearly doubled over the next year.

Mr. Brown: The House should be aware that the forecast for the Minister's budget for 1991-92 is £21 million; for 1992-93 it is £20 million; and by 1993-94 it will be £20 million—a cut from £21 million to £20 million, and the figure stays at £20 million. The real value is cut even further

Mr. Lilley: That illustrates the hon. Gentleman's use of statistics. For the last full year the outcome was £11 million. In the current year it is estimated to be £18 million and the budget for next year is £21 million.

This is an Opposition day so it was a reasonable hope that we would get an opportunity to discuss Opposition policies in depth. Labour's advance publicists have been trailing for some weeks the impending publication of the party's new industry policy. We were told it was at the printers in January. Then it was being revised in early February. Then it was due to be endorsed by the National Executive yesterday, to be issued in time for this debate.

An eager world opened its newspapers this morning hoping that news of Labour's new policies would provide light relief from news of the Gulf war—only to find no mention of any policies. Perhaps the hon. Member for Dunfermline, East can tell us what has become of them. Were they rejected by the NEC? Is the Labour party still searching for a policy? Was it afraid to expose its new policies to the rigours of a parliamentary debate that Labour Members called?

Mr. Brown: Let us get things right. I said that the document would be issued today. Does the right hon. Gentleman not recall that I said at the end of the debate that the document would be issued on Monday?

Mr. Lilley: The hon. Gentleman's friends in the press have been widely trailing its publication for some time and he did not bother to deny those reports. Today, he has made it clear that he will deliberately not publish the document until after today's debate. That is a contempt of Parliament. What would happen if the Government called a debate and announced that they would publish their policy document the week afterwards? Unfortunately, the hon. Gentleman's speech did little to fill the gap left by the failure to publish the document.

Whenever it comes to talking about Labour's policies the hon. Gentleman is as coy as a Victorian spinster talking about sex. He prefers to avoid the subject, refuses to discuss the interesting details and, if forced to discuss it, takes refuge in euphemisms. His speech today and previous policy documents are full of vague words about partnership and co-operation, about encouraging this, helping that, sustaining the other and supporting almost everything else. Gone is the old coarse vocabulary of socialism.

I thought that it might help hon. Members if I gave them a glossary of Labour newspeak; culled from Labour's existing policy documents. Partnership state means corporate state, a levy means a tax, training investment contribution means another tax, help means subsidise, support means subsidise, sustain means subsidise a lame duck, encourage means compel, fairer taxes means higher taxes, close tax loopholes means higher taxes, a strategy means the absence of any policies, new strategy means ditching old policies without replacing them and social ownership means nationalisation.

The hon. Gentleman has to revert to that code because of Beckett's rule: Labour will not make any new spending commitments "until resources allow". Therefore, it is reasonable to ask whether the plans that the hon. Gentleman claimed to present to the House this evening —for training, technology, the regions and a budget for incentives—would increase public spending. Have they been cleared by the hon. Member for Derby, South (Mrs. Beckett)? In the hon. Gentleman's view, should those policies be implemented today or must they wait until resources allow? The hon. Member for Dunfermline, East has been keen to intervene. Can he give us the answer to any one of those questions? I shall give way to the hon. Gentleman. [HON. MEMBERS: "Answer."] The hon. Member for Dunfermline, East is now even more coy than he was before. If he cannot tell us whether his policies cost anything, they cannot add up to a row of beans.

The Labour party may have abandoned its old rhetoric and ceased to use its old socialist vocabulary, but it has not lost its old prejudices. When considering policies, it still automatically thinks in terms of extending state control over businesses and people's lives and of controlling industries through subsidies and state handouts.

Dr. Kim Howells (Pontypridd): I shall quote in oldspeak from the latest edition of the magazine of the National Federation of Self Employed and Small Businesses, which states:

> "Even at this late hour we call upon the Government to act with a greater degree of responsibility and thought for the future of Britain's business. There is little point in carrying out major surgery if the majority of patients die from lack of oxygen."

That is straightforward oldspeak—what will the Secretary of State do about it?

Mr. Lilley: The Opposition singularly fail to tell us what they propose to do in the short or long term. We have made it clear that our priority is to reduce inflation. The Opposition have not mentioned inflation and have no policies for getting rid of it. They did not spell out their policies for the longer term, but spelt out their prejudices. They still ultimately believe in picking winners, steering investment and setting priorities for British industry. Those are the sort of policies that we have seen from successive Labour Governments over the years—we have seen everything from groundnut schemes to De Lorean motor cars. Labour economics are De Lorean economics —plausible, expensive and fundamentally fraudulent. By contrast, our policy is tried and tested. It is to remove regulations and controls, reward success and enterprise by

cutting taxes, privatise state industries, promote competition and open markets abroad by enthusiastically supporting the European single market and the GATT free trade talks. As my announcement today demonstrates, we vigorously support industrial innovation.

Our industrial policy has laid the foundation for British manufacturing to emerge from the recession stronger, healthier and more prosperous in the 1990s than ever before.

8.21 pm

Mr. Ken Eastham (Manchester, Blackley): There is no doubt that we are now in a deep recession. It is the second recession in 10 years. Some people call it a slump. I was thinking about the subject only this morning and decided to look at the dictionary. The definition of "recession" includes

"A period . . . reduction in trade."

The definition of "slump" was

"a decline suddenly in value, volume or esteem."

I believe that the word "slump" is appropriate in today's debate because we are in a grave position. Despite the claims made in 1980 and 1981 that all the sacrifices the workers had made would bring an improvement on the industrial front with prosperity for all, we have nothing. Now, 10 years later, we are in a far worse slump than we had in 1980-81.

I am a member of the Amalgamated Engineering Union, which has prepared a survey called "Crisis at Home", published on 14 February 1991. I think hon. Members will agree that it is current and completely up to date. It analyses the job loss announcements made in February this year. The survey is divided into seven regions. The first region, Scotland, forecast job losses for February 1991 of 1,653, The second region, the north-west and north Wales, has predicted job losses of 3,461. The third region, the north-east and Yorkshire, has predicted job losses of 4,804. The fourth region, the west midlands, has predicted job losses of 7,542. The fifth region, the east midlands and east Anglia, has predicted job losses of 4,991. The sixth region, the south-west and south Wales, has predicted job losses of 3,907. The seventh region, the south-east and London, has predicted job losses of 7,330. The total of declared job losses for February 1991 is 33,688.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman agree that the job loss figures do not include those for Northern Ireland? It is a disgrace that, after so long, Northern Ireland employment figures are not available with those of other regions.

Mr. Eastham: I readily agree with the hon. Gentleman. We often forget to include the dreadful Northern Ireland figures. When he replies, perhaps the Minister will spend a little time trying to explain the Government's position in relation to the whole of Britain, including Northern Ireland.

The job losses I mentioned will be in spite of the sacrifices made by, and the co-operation of, people in industry. Employers called for flexibility and co-operation and the Government spoke about it time and again, but we now face massive job losses.

The British Foundry Association has just completed a report, which was published in January 1991. The foundry industry is important, despite its serious problems of the past 10 years. The report stated that in 1988 the industry employed 52,000 workers, many of whom now find their jobs under serious threat. Coming as I do from the engineering industry, I am conscious of the foundry industry's special problems in relation to the environment and pollution. Those problems are serious, but they could be dealt with if there were Government support.

Countries such as Germany, France and the Netherlands also have foundry industries, but they are given considerable Government support to overcome the pollution problems. My question to the Government and the Minister is: why does not British industry receive the same support as Germany, France and the Netherlands? Within the foundry industry there is also increasing competition from India, China, Poland and Turkey.

A simple example of the day-to-day problems in the industry involves a rather humorous but important aspect of the industry—manhole covers. The current output of manhole covers in the foundry industry is 80,000 tonnes a year, but 60,000 tonnes of covers are under threat from imports from third-world countries. In 1986 only 622 tonnes of manhole covers were imported from India and China. However, in 1990 the figure increased to 12,000 tonnes worth £3·2 million. The Government must recognise that the foundry industry is vital and that it deserves valid and serious support.

A few years ago the British machine tool industry was considered to be the world leader. Only this morning I spoke to representatives from that industry and I asked them about the current position. One representative told me that it was absolutely horrible. He told me that in December 1990 new orders for the last quarter of that year were down 31·5 per cent. in comparison to the same quarter in 1989. He put that down to interest rates, exchange rates and a lack of confidence generally in the industry. The machine tool industry is suffering as a consequence of the lack of confidence in the engineering industry generally. There is no opportunity to plan for the future.

Last December I attended a meeting in the House with Professor Roland Smith about British Aerospace and the declaration that 3,000 jobs would soon be lost in the industry. Professor Smith outlined the grave situation facing the industry and said that there was a serious possibility that two factories would close. During the meeting he said that, with the present combination of high exchange rates, high interest rates and high inflation, not even the Archangel Gabriel could manage a business successfully. He said that, of those three factors, the exchange rate was the most serious. He said that politicians and the Government must decide whether Britain wants an aerospace industry which at present is number one in Europe. It is obvious that the Germans are waiting in the wings hoping that the Government will ultimately destroy our aerospace industry so that they can become prominent in that vital industry.

On the industrial front nearer to home, Ferranti's Moston factory is in my constituency. The company was established in about 1906 and now 650 jobs are threatened at the factory. Earlier today the trade union representatives advised me that they no longer have craft apprentices in the company and there are no plans for them in future. There are two other Ferranti companies close to Manchester. At the Cairo mill 400 jobs are at risk, and at the Derker mill another 200 jobs are seriously threatened.

[Mr. Eastham]

Workers were encouraged to buy shares in Ferranti when the shares were selling at about 70p each. Some workers spent their life savings on shares. Those shares are now valued at about 9p. As we see Ferranti tottering under this Government, it is interesting to note that the Labour Government, through the National Enterprise Board, saved Ferranti from liquidation. They revived it. After 10 hard years of this Tory Government, Ferranti is once again tottering and may collapse completely.

There is no doubt that there is a national haemorrhage of jobs. The newspapers are full of the complete loss of confidence in commerce and industry. Indeed, when I read of bartering for goods in the high streets, I am reminded of my days in the Army. British shopping centres now seem like Arab bazaars, thanks once again to this very unsuccessful Tory Government.

We all recall that everything was swinging during the 1980s. The yuppies used to do well. They would tank it up and buy bottles of champagne at lunchtime and tell everyone that they were so successful. However, they did not produce anything. One of my old friends who used to be a Member of this place died a few months ago. He told me that all those yuppies, spivs and wheeler-dealers in the 1980s never made anything; in fact, they did not even make a mousetrap. However, they made all the money during the 1980s. I wonder where they have gone now because they are certainly not around at the moment. They have disappeared as industry and commerce and the general industrial base of this country have collapsed.

During the early days of the Government in 1980 and 1981 a Tory told us that the unemployed should get on their bikes. Someone else said that people should get ladders and buckets and clean windows. He said that he would clean our windows and we would clean his. We would not produce anything, but that was a solution for the unemployment problem in 1980-81. Alas, we have come full circle and we face the same problem.

We have 300 years supply of coal, we have our own natural gas, and we are one of the world's leading oil producers, but we still cannot compete with other European countries. That is absurd. There must be something wrong in our economy if that is the position in which we, a so-called industrialised nation, find ourselves.

It is obvious, as my hon. Friend the Member for Dunfermline, East (Mr. Brown) said, that we must get down to producing quality goods and exporting goods. The conspiracy of not facing up to our economic position must change. There is no doubt that that will happen only with a change of Government.

8.39 pm

Mr. Charles Wardle (Bexhill and Battle): I listened carefully to what the hon. Member for Manchester, Blackley (Mr. Eastham) said about job losses in engineering. I hope that he accepts that the greatest threat to jobs in engineering, as to any sector of industry, is inflation.

Whenever the House debates manufacturing, strident claims fly from one party to another about who would do what for the benefit of industry. However, when the hon. Member for Dunfermline, East (Mr. Brown) spoke, he did not make it clear which he regarded as the greater evil to manufacturing industry—high interest rates or high inflation. He appeared to skirt that point.

Whether those who work at the sharp end of manufacturing industry and who have to cope with the dynamics of the market place day in and day out would set much store by what is said on these occasions is not for me to speculate on. I have no doubt that those who work in manufacturing would tell the House that there is one abiding fact of industrial life that transcends all debates about productivity, about marketing, about technology and about supply-side reforms and the rest. The single greatest contribution that any Government can make to private sector manufacturing is to contain inflation.

The ability to keep inflation down to negligible levels allows well-run companies and highly motivated work forces to make a worthwhile contribution within the virtuous circle of price stability, low interest rates, competitiveness and a strong balance of payments. I imagine that few hon. Members would dispute the fact that the root cause of the current recession was the need to cope with an economy that overheated after the G7 countries agreed to relax controls following the 1987 stock market crash. In the debate on the Gracious Speech in November 1989, I predicted that the recession would begin in late-1990.

In spite of a three-year boom for industry, with record levels of investment during those three years, there had to be a day of reckoning if inflation was not to run riot with all the disastrous consequences of that scenario. That is why my right hon. Friend the Chancellor of the Exchequer places so much emphasis on tight fiscal policy and on the need to maintain high interest rates until inflation can be seen to be falling sharply. In that regard, the exchange rate mechanism and the present sterling-deutschmark exchange rate is not a trap. It is a worthwhile discipline because the currency markets will sell sterling at the slightest hint that the Chancellor's resolve is weakening in the fight against inflation.

By complete contrast, Opposition Members, especially the right hon. and learned Member for Monklands, East (Mr. Smith) in a debate on the economy last week, appear to want a large cut in interest rates now, plus fiscal incentives for more capital investment and still more spent on the infrastructure. All that that would achieve would be a little instant relief for industry. There would then be a painful resurgence of inflation a little later with many more receiverships and bankruptcies, and still higher unemployment than is now in contemplation.

In 1974, the Labour Government made the same mistake of softening their approach when it would have been wiser to impose tough disciplines in which industry could have operated. The result was capital investment allowances for more plant and machinery than was justified by market demand and tax relief on the inflationary increase in stock values which encouraged manufacturers to build merely for the warehouse shelves. It left industry in 1979 overmanned, overstocked and vulnerable to the worldwide downturn which came in 1980.

Yet once again, Labour policies are for instant relief from the pain of recession today without any regard to the even greater setback to competitiveness and to industrial strength that would swiftly follow. If some distinguished economists and, perhaps, some of my hon. Friends have similar faith in those nostrums, I must say, with respect,

that there is no painless path from an inflation-ridden economy to one that emulates the German success story. The French learned that a decade ago to their cost.

I do not dispute the uncertainty, anxiety and discomfort of the recession, which is likely to get worse in terms of company failures and of job losses before it gets better. However, things will improve most rapidly if the Chancellor sticks to his policies with a tight grip on public spending and cuts in interest rates only when inflation falls away, as it surely will this year.

There are many problems in any recession. Perhaps none of them would have occurred this time if Britain had entered the ERM with lower inflation and lower interest rates in 1985. However, there is no point in jobbing backwards. Manufacturers might be helped if an independent Bank of England were to assume control of exchange rate policy at a full arm's length from politicians of all parties. The sterling-dollar exchange rate undoubtedly still puts British industry in a seriously uncompetitive position, but that will not change overnight either.

Difficulties also exist in industry because too little attention was paid in the recent boom to the cash-flow requirements for tax, dividends and investment. As a result of that and of a manic taste in some quarters for takeovers financed by junk paper, industry is now far too highly geared for its own good. The bankers, whose soft lending policies helped many companies into their present financial mess, do themselves no credit by denying responsibility for helping the greedy and for ignoring the belt-and-braces fundamentals of lending against good asset cover and strong interest cover.

Whatever the difficulties, there is only one sure way to economic recovery, and renewed growth and competitiveness for manufacturing industry. It is to stick with the Government's present policies, no matter how painful they are in the short-term, and to show the world, especially the currency markets, that we are determined to reduce inflation once and for all. On that basis, good management and properly motivated work forces will be able to combine their skills to build future prosperity.

8.46 pm

Mr. Alex Carlile (Montgomery): Like most hon. Members, I find myself from time to time, either face to face or by letter, responding to a request for advice from a young man or woman who asks me what sort of job he or she should go into. As I am a lawyer, young people often ask me about careers in the law, and in accountancy and related matters. The best advice that anyone who is asked that question can give at the moment is that a young person should become an insolvency practitioner. That is the one part of the legal and accountancy professions in which redundancies are not taking place, in which there are plenty of openings and in which high salaries are available. An insolvency practitioner administers the affairs of failing companies and tries to realise assets. What he is really doing is presiding over the demise of industry, and over the collapse of local enterprise and the loss of jobs.

At lunch time today, I was in one of the great department stores of this city, in Oxford street. It was empty. I went to a number of tills to pay for various articles and I did not have to wait at any of them as one would expect to do at the busiest time of a weekday. If one goes into a car sale room in any part of the country to buy a new car, the state of the market is such that it is possible to obtain discounts even on cars that were sold at a premium a year or two ago. A proprietor of a business dealing in second-hand cars told me a short time ago that if one went into a garage where second-hand cars were for sale, especially large ones, one could buy them at huge discounts because the motor market was utterly depressed.

In my constituency of Montgomery, we have experienced two major industrial problems in recent months. The most recent announcement in my area was to the effect that the Tootal tie factory in Newtown would be closed. I assure those male hon. Members who wear five different ties a week that the chances are that on at least one day they will have worn a tie made in Newtown, under whatever brand name it was sold. More than 100 jobs were to be lost in the closure. Fortunately, the Development Board for Rural Wales introduced another company and, at any rate for the time being, 50 jobs have been saved. The Tootal factory had been there for a long time and seemed as safe as any industry in the area.

The largest manufacturing company in my constituency, the Laura Ashley group, faced considerable restructuring recently, which was rationalised only by a Japanese conglomerate taking a significant shareholding in the company. The other part of the Laura Ashley rescue plan, apart from the injection of Japanese capital, was simple—stop manufacturing clothing in the United Kingdom and make the articles abroad, though not elsewhere in the European Community. Factories have been closed not only in Wales but elsewhere in the Community, and the company is now manufacturing goods in Hungary. Soon it could be manufacturing them in Poland, or elsewhere. I know that that is excellent for the economies of east and central Europe, but it shows a malaise in British industry.

As the Secretary of State suggested, industry has reformed itself in many ways, and that is to be welcomed. Manufacturing processes have been reformed in a way that has made them more efficient, and industrial relations have been transformed, with archaic practices being expunged from British industry. I acknowledge the part that the Government have played in that.

That having been achieved, those running industry are now saying, "We have done what we were asked to do. We have swallowed the medicine over the years. Why are we now suffering yet another recession? What more are we supposed to do to meet the requirements placed on us by the Government? After all, the Government assured us that their policies were right."

Industry is not helped when it sees, as has happened in this debate, a Minister and the Front-Bench spokesman of the Labour party cooking the books as they spoke. An exchange that occurred earlier about the technology transfer budget should be revealing to the great British public. The Conservative party says that when something goes down, it has gone up, whereas the Labour party says that when something goes up, it has gone down, and they are both wrong—*[Interruption.]* They cook the books in such a way that their efforts are about as sophisticated as the cookery involved in a hard-boiled egg.

Both sides should be telling the truth. British industry is entitled to be told that part of Government policy has been to raise the technology transfer budget, but, for reasons which I hope will be explained by the Minister later in the debate, having raised it—presumably because they thought it needed to be raised—they then decided to

[Mr. Alex Carlile]

cut it back by £1 million. It seems an extraordinary state of affairs that we cannot have straight speaking on such matters.

It is meretricious for the Government to say that their policy is working. If it were working, we would not have both high inflation and a slump in manufacturing output and employment. It would be more forgivable if we were watching a Government sticking either to Adam Smith or Maynard Keynes, to some principle. Instead, we see the Government sticking to sticking plaster.

Today we had an announcement about some small programmes simply because we are having a debate in the House on trade and industry. A little extra technological help is to be given to small companies. I wonder why that announcement was made today. Last week we had a debate on the economy, and on the morning of that debate an announcement was made of a reduction of 0·5 per cent. in interest rates. Why was it made on that day? On the eve of the Conservative party conference last year there was an announcement of a reduction in interest rates. I wonder why it was made on that day.

That is not policy. It is sticking plaster, and industrialists realise it. They have no confidence in a Government who use that approach and who seem bereft of clear policy. I suspect that something similar will occur in the coming few weeks. The Budget is next month, and we shall witness at least a significant cut in interest rates and a prospective cut in local taxation, not for the sake of sound, structured, well argued policy, but because an election is coming up, and it will occur probably sooner rather than later.

Massive interventionism will not work any more than sticking plaster. I hope that the Labour party will not subject us, as one might suspect from what has been said in the debate, to an economic policy which will make us recall what happened to companies such as the Rootes group in the 1960s and De Lorean subsequently.

It is not fair to blame the market place. Germany, Italy, France and all our other competitors in the European Community work in the market place, but they are not affected to anything like the same extent by the depression and malaise that are affecting British industry. We need a more ambitious approach by Government to the future of British industry.

Mr. Budgen: What does that mean?

Mr. Carlile: There is plenty of which to be proud in British industry. As has been said, we have one of the most inventive scientific work forces in the world, but unfortunately, as people see money being taken out of science and technology, they are going abroad. We recently debated the Science and Engineering Research Council. It is clear that the cuts that were discussed during that debate will lead to a new brain drain of our brightest and best young PhDs who should be here to develop British industry for the future.

Of course, the Government have a part to play in industrial policy. It is not enough to stand by and simply let things happen on a free-for-all basis. The Government's role is, in part, to do those things that industry cannot do for itself. That means providing a stable macro-economic environment, especially with regard to inflation, interest rates and the exchange rate. The Government can intervene by ensuring that competition policy—I mean both pro and anti-competition policy, as appropriate—is enforced rigorously, nationally and internationally, and especially in Europe.

The Government also have a role to play in influencing the way in which the City of London operates. I do not share the Labour party's knee-jerk criticism of bankers, stockbrokers and insurance underwriters as I think that they do a valuable job in earning foreign exchange and in ensuring that the United Kingdom is at least a major financial market. The financial market earns good and meritorious money for this country. However, I do criticise the way in which the City attempts to make its money in connection with venture capital. There is a need for a much more well-devised venture capital environment in this country. City merchant bankers spend much of their time doing nothing much more than churning fees. The takeover and merger booms that we have experienced recently are not beneficial to the efficient performance of manufacturing industry, but they are beneficial to fee-earning in the City of London. The Government should go to the City and say, "Spend a bit less of your time trying to change the structure of British industry and a bit more of your time trying to put venture capital into British industry to develop its continuing growth and success."

The Government should also tackle many other policy areas. They should remedy the flaw in the 1984 corporation tax reforms, which has resulted in corporate tax bills increasing with inflation. In our view, they should support the move to a single European currency. They should reduce the bureaucracy of Government Departments dealing with taxation. They should increase investment in the transport infrastructure.

British manufacturers are not asking the Government to do their job for them; they are not asking for hand-outs. They want a Government who recognise their economic importance and who are prepared to play their part.

9.2 pm

Mr. Nicholas Budgen (Wolverhampton, South-West): Before becoming a Member of the House, I spent many happy days in opposition to the hon. and learned Member for Montgomery (Mr. Carlile), and I used to admire him in those days. However, I did not find his speech this evening as brisk, detailed or compelling as some of his speeches that I heard before we were elected to this House. The hon. and learned Gentleman seemed to rest his argument tonight mainly on vague generalities.

However, there was something much sadder about the speech of the hon. Member for Manchester, Blackley (Mr. Eastham), who spoke most movingly about the recession in his constituency. He seemed to imply that the Government had wished for such a recession. There is, of course, an intellectual vacuity at the centre of this debate, because it is distorted and darkened by the agreement between the two Front Benches about entry into the exchange rate mechanism. The attachment of a fixed exchange rate is the crucial factor that has brought this country and our manufacturing industry to its present state. The hon. Member for Blackley rightly said that we had a great boom between 1986 and 1988, that we are now correcting that and that that correction is unpleasant. However, we must ask why we had that boom. Why was it so excessive? The answer is at least in part because we

were then informal members of the exchange rate mechanism. We were shadowing the deutschmark and, as a result and for domestic reasons, our interest rates were much too low.

There were other reasons, such as an over-correction of the stock exchange fall in October 1987. But the principal reason was the shadowing of the deutschmark. Why are monetary conditions too tight now? Why is manufacturing feeling such an excessive squeeze? It is because we are constrained by being formal members of the exchange rate mechanism now and we cannot reduce our interest rates as quickly as we would wish.

The Labour party, desiring so much to appear middle class and respectable and believing that to appear European is to appear respectable, has lost all intellectual rigour and cannot explain that, having changed its position, it has made as big a mistake as the Government have made in entering a fixed exchange rate mechanism.

But there is also a great deal that is ironic in this mock debate between the two Front-Bench teams in which each complains about the level of subsidy and distortion that will occur in the future. What will happen if we stick to the exchange rate mechanism? I am pleased to see my hon. Friend the Member for Carshalton and Wallington (Mr. Forman)—such a noble exponent of the exchange rate mechanism—come into the Chamber. If we enter the next stage of economic and monetary union, it will not be until 1 January 1994 when we shall enter a system of irrevocably locked exchange rates. A great deal of instability can occur between now and 1 January 1994 because ours is such a big, important and much-traded currency to enter the mechanism and the process of waiting is inherently unstable.

Let us assume for the sake of argument that we are stuck for some time in the fixed exchange rate mechanism. What will happen? Let us consider the distortion that will spread throughout the economy. At present we have a pay policy in the private sector which is being run by illegal exhortation. The Government keep attempting to persuade private employers that they should pay less. Yet we have the irony that the Government have offered to pay their employees pay increases of between 8 and 12 per cent. per annum.

We saw the whole process of distortion in the economy given a respectability by my right hon. Friend the Member for Worthing (Mr. Higgins) who suggested in a recent debate that we should have some form of formal pay policy. But it will not stop there, because, of course, when my right hon. Friend the Prime Minister finds that we have the same rate of inflation as the other European countries, he may find that the speculators, for other reasons, still put pressure on the value of the pound as against the deutschmark.

So we shall find that the old arguments about import substitution and encouraging exporters come along. We shall be back into the old round of supporting one lot of industry or another and one lot of subsidies or another. When he opened the debate, my right hon. Friend the Secretary of State talked about the grants and subsidies that the present Government are giving to manufacturing. All that will become much worse if we stick to the fixed exchange rate mechanism.

A floating exchange rate is not merely a symbol of a free economy. It is a necessity of a free economy. If we have a fixed exchange rate, it will work its distortion throughout every element of the economy. We shall have to have subsidies and distortions everywhere. It will be damaging to British manufacturing industry and it will distort manufacturing industry. When we return to floating exchange rates, we shall find that manufacturing industry is in a weakened condition, as, indeed, it was in 1979. It will be quite unable to stand up to the competition that inevitably comes with a return to floating exchange rates. It is a great tragedy that there is no proper debate about that in the House.

In order to appear respectable, middle class and European, the Opposition adopted the policy of supporting the ERM. That was a great mistake. They should remember the humiliations of poor Mr. Wilson when he tried to defend a fixed exchange rate. Similar humiliations will come the way of this Government.

9.10 pm

Mr. Robert Litherland (Manchester, Central): The Secretary of State for Trade and Industry said that manufacturing has been transformed. I suppose that is one way to put it. We in the north-west would say that it has been decimated. Since the industrial revolution the north-west has played a vital role in our country's economy. Manchester and its conurbation were once thriving, vibrant areas offering employment in heavy and light industrial engineering, in chemicals, wire manufacturing and textiles. Name it, and the north-west could provide it. All that has changed with the collapse of manufacturing in our area.

Firms with household names and international reputations vanished overnight. Workers were thrown on the streets and the factory gates were slammed in their faces. Firms closed for ever. Week after week in the late 1970s and the early 1980s, companies were closed. Some factories that had provided jobs for workers' fathers, grandfathers and even great-grandfathers ceased production. One firm that had been in existence for more than 200 years finally succumbed and went under. Most of those firms were stripped of all their assets and the machinery was sold to the Chinese and others. The area was deprived of its dignity and the consequences for workers' lives were disastrous. Workers who derived a living, however meagre, were deprived of the opportunity to use their skills to earn that living. They were let down and demoralised.

These issues have been debated time and again in the Chamber, and now when I consider speaking in such a debate I have difficulty in finding a major labour-intensive company in my constituency. Most such companies are now mere memories in the form of derelict, half-demolished buildings. According to the Government, all was not lost. They have had schemes to retrain and revitalise the north-west. At least, that is how the story goes. High-sounding words such as competitiveness, confidence and cohesion were bandied about, but they meant little to people who were still out of work. My constituency has the second highest unemployment rate in the country, topped only by the constituency of Liverpool, Riverside, which, if my geography serves me right, is also in the north-west.

Workers jumped with joy, full of ecstasy, when they heard that his grace the Duke of Westminster was to assist in solving their problems. Here was a lad who knew what poverty meant. Fantastic; all that we need now is a fairy godmother. We in the north-west ask ourselves which is the myth and which is the reality. Is there or has there been

[Mr. Robert Litherland]

a resurgence of bringing prosperity to the region? Have the Government given additional resources and facilities to industry in the north-west in order to regenerate the area?

The one industry that always gives an indication and is a barometer on which to judge economic viability is the construction industry. A trade inquiry report published this month by the Building Employers Confederation warns of a deepening recession and shows a sharp fall in output. It says that the slowdown is affecting all regions, and that will send icy shivers down the spine of every construction worker and small building business in the north-west, because they know from experience that our region will be greatly affected by any downturn. The report says that the likely consequences of the recession are

"the first major decline in building output since . . . 1982
the sharpest deterioration in new orders in a single trading quarter since . . . 1980
falling tender prices and wafer thin margins
rapidly rising unemployment".

It estimates that 150,000 jobs will be lost and that training in the industry will inevitably suffer. The report also shows that manpower, whether skilled or unskilled, is readily available. Materials are in good supply. There are no undue worries about finding carpenters, bricklayers, plasterers, builders or other workers. In other words, the operatives, the skills and the materials are available, but the economic climate to enable all these human and material resources to be put to good use does not exist.

According to the Building Employers Confederation, the Government's commitment to maintaining the value of sterling and their reluctance to cut interest rates are leading to a bitter and deep recession. The building employers say that a cut of 1 or 2 per cent. in interest rates would be most unlikely to prevent a fall in building industry output this year. The prospect of the gloom ahead is not lessened by the CBI's suggestion that the demand for factories and warehouses will remain depressed throughout the year. And this comes from Tory Government friends—the very people who put money into the Tory coffers at election times.

Where is the revitalisation to meet the needs of the people in the north-west? When I refer to the needs of the people of the north-west, I sincerely mean their real needs. The north-west business leadership team tells us that it is committed to the long-term prosperity and well-being of the region. I do not for one moment doubt that group's good intentions, but long-term prosperity means little or nothing to a worker who has been issued with his or her redundancy notice. It is always the same story: light at the end of the tunnel, a cloud with a silver lining, jam tomorrow. Meanwhile, the cupboard remains bare for the majority of people in the north-west.

It is a sick society that has the necessary work force, skills and materials, yet is not allowed to build homes, hospitals, schools, roads and bridges to meet the needs of its people. The Government have repeatedly failed the north-west. The present recession can be placed firmly on the doorstep of No. 10 Downing street. The Prime Minister, in his former role as Chancellor of the Exchequer, was instrumental in creating the mess that we have today. At the weekend he was up in the north-west, clutching at straws, hoping to salvage seats. What a forlorn hope. For him, Lancashire is already lost. It is strange that we never see a Prime Minister or a Chancellor visiting factories that are about to close, despite the fact that they would be most welcome in such places.

The north-west has had more than its share of unemployment, more than its share of bad housing, more than its share of poor environment, more than its share of ill health and poverty. After 12 years of Conservative government, we have homeless people on the streets of Manchester and an escalation in violent crime. We have had more than our share of deprivation. The north-west is asking when it will get its share of the promised prosperity. I do not see that happening under the present Government. Only a change of Government can bring prosperity to the north-west.

9.18 pm

Mr. Graham Riddick (Colne Valley): The speech by the hon. Member for Dunfermline, East (Mr. Brown) was somewhat instructive to Government Members. He took between 30 and 35 minutes to reach the part relating to the policies of the Labour party. He then took one, perhaps two, minutes to describe those policies. There were no costings or details, but we were given enough of the flavour of what the Labour party believes in to demonstrate that it is still stuck to the old dogmatic, interventionist policies of the past.

We have heard Opposition Members going on about the regions. A relatively encouraging headline in the *Yorkshire Post* recently suggested that Yorkshire industry is doing better in the current recession than it has done hitherto. The CBI's recent quarterly report shows that business confidence in Yorkshire is more buoyant than anywhere else in the nation. That is a positive approach. It suggests that industry in the north is now more soundly based than it has been in the past and that the region no longer relies on the old smoke-stack industries.

Of course I recognise that great difficulties face many firms in the north of England because of the present high interest rates. But we must realise that interest rates are high in order to beat inflation. The prospects for Britain are good. Inflation will come down, and come down rapidly, this year, and interest rates will follow. It is instructive to see how the stock market is behaving. The stock market tends to take a six-to-nine-months view of prospects, and at the moment it is booming. That is a positive reflection of future trends.

During the 1980s we had consistent economic growth for eight years. That growth was brought about because we had low inflation, low taxation, minimum Government intervention and minimum red tape and bureaucracy. I have no doubt that British business men and entrepreneurs are as innovative as any in the world and are now able and willing to invest and compete in the modern world, but clearly they need a consistent, stable economic climate. They also need free trade throughout the world. Therefore, I urge my right hon. and hon. Friends to ensure that there is a successful outcome to the GATT negotiations in Brussels.

There is no doubt that British industry is going through a difficult time, but British companies are in much better shape today to withstand the current difficulties and to prepare for the upturn. We must be careful not to talk ourselves into a state of doom and gloom. Today we have seen that the Opposition like to talk down Britain and British industry as much as possible.

In recent days I have had some evidence that things are not too bad. The future holds some positive things in store. Last week I met some executives from Vauxhall Motors. One told me that Vauxhall factories are working flat out and have massively increased car exports to the EC. This morning I went to a British textile exhibition at Olympia and I was heartened by the surprisingly robust and confident nature of the people I met there. I heard of the exporting efforts being made by many textile firms. I met one tie manufacturer who had just appointed seven agents in Italy.

Some good news has been reported recently in the *Yorkshire Post*. A headline says:

"Japanese create 400 textile jobs".

The Japanese firm Toray is investing £50 million in a new factory in Mansfield. We have recently had the news that the Wakefield Shirt group of companies, best known for its Double Two brand, is taking on people. That is in the textile industry, one of the industries we are told is down and out. There is good news. In my constituency I have seen a brand new textile factory built in recent years. No Government subsidy or regional support was required. Yet that factory, producing polypropylene fibres, is one of the most modern in Europe.

There is good news in other parts of the country as well. The good people of Ribble Valley should be aware of the good news in the north-west. Investment in manufacturing has doubled during the 1980s. Companies like Glaxo, Pilkingtons, Shell Chemicals and General Motors have all made big investments in the north-west. The number of businesses has increased by over 20 per cent. Trafford Park in Manchester has continued to revive. Companies such as Kellogg and Proctor and Gamble, my old firm, are investing in the north-west. That is all good news.

I have no doubt that the electors in Ribble Valley will recognise that it has been the sound, consistent economic policies of the Conservative Government throughout the 1980s which have resulted in that investment going into the north-west. When they go to the polls on 7 March, they will send back a Conservative Member, most probably with an increased majority, or certainly a majority as big as that achieved in the general election. In the meantime, I am confident that we will pull out of the current difficulties and will see economic growth taking off once again. That will happen only under this Conservative Government.

9.26 pm

Mrs. Irene Adams (Paisley, North): I listened with great interest to the Secretary of State telling us how the Conservative party had transformed industry. I do not know about transforming industry, but it has certainly transformed my constituency. It was once a highly industrialised constituency. When the Government came to power in 1979, the cotton mills in Paisley employed 10,000 highly skilled women—spinners, doffers and tenters. They travelled widely, taking not only the products but their skills all around the world. They taught other people those skills.

The first recession of the Government caused that industry to fail. The hon. Member for Colne Valley (Mr. Riddick) told us about seven jobs in Italy connected with the textile industry. Some of the 10,000 women who are now unemployed in my constituency and who "have Giro, can travel," would be interested in those seven jobs.

It is not just the thread industry which has been affected. We had a large male population who were heavily involved in engineering. We built ships that sailed the world. We do not do that any more. What the Government, the friend of industry, have given us in their place are fast food chains. We now make hamburgers instead of ships. They have also given us security guards and contract cleaners at the princely wage of £1·20 an hour. That is what they are asking the skilled engineers and the skilled textile workers to do.

Mr. Ian McCartney (Makerfield): In the last few days I came across a case in the north-west of a young disabled woman who was offered a job so long as she agreed to work the first six weeks without wages. At the end of the six weeks this young blind girl would be taken on at the princely sum of about £2 an hour for a 45-hour week, and she would have to help provide the special adaption for the equipment that she would use. That is reality. *[Interruption.]*

Mrs. Adams: Yes. Perhaps Conservative Members found that funny. I certainly did not.

One of the great difficulties is that, because we have lost these work forces through redundancies, we have missed a rung on the evolutionary ladder of converting old skills to fit new technologies. Because of the lack of continuity in industry, and the lack of Government foresight, the next generation has to start from scratch, learning new skills without a firm knowledge of the old.

What have the Government done? They have lost us more and more jobs. However, let us not run away with the idea that merely the cotton industry was affected, or industries which were failing. The latest victim in my constituency was Howdens at Renfrew. Howdens had been in production for 130 years, and was in the forefront of design and manufacture of energy, tunnelling and other precision products. Howdens was a name synonymous with advanced technology throughout the world. Its Renfrew plant was a centre of engineering excellence unique in Europe. The plant and the work force had been able to perform in markets for which there is sure growth —manufacturing equipment and kit for the greening of power stations.

Howden's Renfrew plant had a bright and long-term future. It was in the process of negotiating contracts worth £20 million, but difficulties occurred when the United Nations trade embargo was put in place last August, following Iraq's invasion of Kuwait. Howdens was in the middle of building a huge power station in Iraq. Those difficulties should have been short term. If the Government had not been locked in the dogma of the past and if we had a Government willing to enter into partnership with industry, we would still have 500 jobs of engineering excellence in Renfrew, and all the subsidiary employment which backs up such jobs.

One of the first speeches that I heard when I came to the House was made by the Secretary of State for Defence. He said that he did not think that sanctions could work in the Gulf. He did not think that sanctions had ever been viable. I wish that he had told that to the Howdens work force last August, when they were prepared to sacrifice their future for those sanctions.

That is only part of the story for Howdens in Renfrew. Such was the uniqueness of the work force's skills and its technology, no other companies in the whole of Britain

[Mrs. Adams]

now carry out the work that was carried out there. Contracts are pending in Britain for tunnelling equipment that will have to be placed elsewhere because Howdens is not there to carry out the work. That is the direct result of Government policy, a Government bereft of ideas, which could not bridge the gap in an emergency; a Government who failed to recognise short-term difficulty and did not know the difference between that and long-term investment in the future; and a Government too dogmatic to recognise that interest rates were too high and that we needed a Budget for investment in the future, and the capability to enter into partnership with innovative industries, such as Howdens, in a bid to encourage the research and development that could bring long-term prosperity to the company. That could bring jobs to the skilled work force, who deserve our loyalty, and to Britain's long-term security as an industrial nation.

9.32 pm

Mrs. Elizabeth Peacock (Batley and Spen): We have heard a lot about doom and gloom from most of the speakers in the debate tonight, but industry is not all gloom and despair, especially in West Yorkshire, where it is already planning for the future. Times are difficult. Yes, interest rates need to fall, but investment in manufacturing is still taking place and business confidence in Yorshire is more buoyant, as investment levels prove.

A £15 million project, with 100 new jobs, was recently announced in Leeds. Double Two Shirts in Wakefield is investing and providing 68 new jobs. Maitland Menswear in Leeds is investing £4·5 million, creating an extra 40 jobs and guaranteeing that about 300 jobs will continue. Spring Ram plc at Birstall is making multi-million pound investments at its site and is about to settle terms for another new factory there which will eventually create 300 new jobs, we hope by the end of the year.

All that is not altogether gloom and despair. It is something which we welcome in Yorkshire as we are a great manufacturing county, and manufacturing will continue. That does not mean that we ought not to encourage the Government to bring down interest rates as soon as possible.

We have heard about the lack of investment in training. There is great investment in training throughout the country, particularly in Yorkshire. The Confederation of British Wool Textiles has a marvellous training programme. Recently it conducted an award ceremony. Apart from investing in the training of young people, it invests in the training of those members of the work force who are aged between 25 and 35. It now offers opportunties for training and qualifications to many people who, through no fault of their own, left school at an early age with very few qualifications. It is a tremendously important scheme. Supervisors can be promoted because they have been offered training.

There is great investment in the training of engineers. T. S. Harrisons, an engineering company in my constituency, has a tremendous training scheme for young people. It takes on apprentices every year and trains them in all the different aspects of its work. Its training machines and its trainees are as important to the company as its exports. Recently it started to export to Japan. This country, particularly Yorkshire, can export to Japan. Orders are also coming to the company from Russia.

I have provided a thumbnail sketch of money that is being invested not just for today but because those who run our manufacturing companies are confident about the future of this country. Indeed, they are so confident that they are investing vast sums of money in manufacturing and in new jobs.

9.37 pm

Dr. Kim Howells (Pontypridd): Many hon. Members have referred to the transformation of British industry during the past 10 years. There has been a transformation, including one in my constituency. The pain caused by the contraction of industries such as coal has often resulted in the creation of new industries, which we welcome. They have provided a basis for optimism in my area.

We must, however, be careful about how highly we regard the new industries. Good work has been done by the Welsh Development Agency and the Scottish Development Agency, though I understand that the SDA is being dismantled. Their good work has resulted in inward investment by the Japanese, the Germans and the Americans. It is very much to be welcomed. All too often, however, such investment can result in an assembly line economy, not in research and development centres or in the highly trained work force that this country needs if it is to compete with security. We shall soon be challenged by great companies such as Siemens in Munich and Philips in the Netherlands. I am confident that they will want to invest here, but we must ensure that their investment does not lead to the United Kingdom becoming only an assembly line economy.

The regions must be self-sufficient so that they can determine the shape of our economy. They must be able to invest in and work on new products. We must therefore take into account the points made by my hon. Friend the Member for Dunfermline, East (Mr. Brown). We must invest in infrastructure and training. That will cost money. We cannot pretend that such expenditure can be avoided. We must think about our priorities. I am not ashamed to say that if we need to invest to ensure that our industries are dynamic and flexible and have the work forces that they need to meet the challenges after 1992, we must do so. If we do not, we shall become an assembly line nation. The United Kingdom will then be vulnerable to the cyclical trends that dog our economy now.

I hope that the Minister will take that very seriously. I do not think that we are battling over that one: it is a question of how we do it. If we are battling, I am afraid that the Government are even more stupid than I thought.

Mr. Tony Lloyd (Stretford) *rose*——

Mr. McCartney: On a point of order, Mr. Speaker. I apologise to my hon. Friend the Member for Stretford (Mr. Lloyd). It is a matter of equity, Mr. Speaker. Last week I and hon. Members on both sides sat through a debate for three hours and were not called. An apology was made to us.

Mr. Speaker: Order. What is the point of order? The hon. Gentleman should have this out with his Front Bench, not with the Chair.

Mr. McCartney: Hon. Members who sit throughout the debate should be given precedence in speaking, yet others who have come in and out seem to be called. I have sat through six hours over the past fortnight——

Mr. Speaker: Order. Perhaps I can put the hon. Gentleman out of his misery. I do call hon. Members with equity. The hon. Member has been called no fewer than four times so far in this Session, and on one of those occasions he spoke for over 30 minutes. That is bound to be taken into account by the occupants of the Chair.

9.40 pm

Mr. Tony Lloyd: Perhaps I can follow my hon. Friend the Member for Pontypridd (Dr. Howells) who asked if the Government really were more stupid than he had thought. The kind of complacency that we heard this afternoon from the Secretary of State for Trade and Industry is sadly typical of what we have come to expect from the Government who are so out of touch with what industry demands as to mean that the future of manufacturing is not in safe hands.

Perhaps I may quote briefly from Peter Brighton, the director-general of the Engineering Employers Federation, who said a few days ago that Britain was moving

"hell bent towards a peasant economy . . . There had better be an improvement before long, or this country will crash into the buffers."

I hope that the Minister will respond directly to the Engineering Employers Federation.

I hope that he will also respond to the *Financial Times* which said in a recent editorial:

"The UK is probably in the midst of the second worst recession since the Second World War."

No prizes for guessing which was the worst recession.

The only thing that I am not clear about is whether this is the second Thatcherite recession or the first Major recession. There is no running away from the fact that the Secretary of State for Trade and Industry, the present Chancellor, and the present Prime Minister in particular, were the authors of the problems that led to the recession and so were the authors of the recession.

It does not bode well when the Chancellor in his speech on the autumn statement and the Secretary of State earlier on in this debate made a great issue of the Government's desire to tackle inflation as their way of overcoming the nation's difficulty, the implication being that it is either inflation or interest rates. The reality is that we have high interest rates and high inflation. The Government have given us no choice, but rather, the worst of both worlds.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak) *rose*——

Mr. Lloyd: I am sorry, the hon. Gentleman will have to forgive me. I am afraid that I cannot help him on this occasion because I have very little time.

When the Chancellor tells us that inflation is central to the Government's policy, let me quote from the director general of the CBI who said:

"The 10·9 per cent. increase in the UBR next year is yet more bad news for those concerned with the fight against inflation. It will add some £1 billion to business costs next year without any improvement in local authority services or performance. This is precisely the kind of inflationary own goal that should be avoided. The Government cannot expect to be taken seriously if it fails to practise what it preaches."

Very shortly we shall enter 1992 and the whole process that stems from it. The Government are cutting down in all the areas that might assist us in that process. They are cutting the training budget, assistance to regions and assistance to manufacturing. We are facing the opening of the channel tunnel, but the Government have obstinately refused to invest in infrastructure that would allow the manufacturing sector in the north of England, Scotland and Wales to take advantage of the tunnel. Look at what the French and Germans are doing. Any idea that the Government put across, as they try to do, that somehow Britain is in the midst of a little blip like our competitor nations is not true.

Britain has a unique position in western Europe—a unique recession that can be laid at the door of the Government. We cannot produce any statistics from the past 11 years to suggest that manufacturing has been well treated by the present regime. For example, my own region has lost about 300,000 jobs in manufacturing and those jobs have not come back in services. I am glad to see that the Secretary of State is back in his place; he should listen carefully to my figures. I have told the House how many jobs we have lost in my region, but the same rules can be applied to Scotland and to most of the north. The lost jobs have simply not been compensated for in the services industry. The economy has been run for one region alone —the south-east—at the expense of the rest of the country.

Conservative Members quoted the recent CBI quarterly survey, which is entirely pessimistic in respect of many of the regions. Not many minutes ago, it was quoted by the hon. Member for Colne Valley (Mr. Riddick), who said that the CBI's survey was good news for Yorkshire. Let me tell the House what the survey said about Yorkshire. It said that, although against the national trend business optimism fell by less in January, on balance, respondents were still heavily pessimistic about the business situation as compared with a year ago.

Mr. Tony Blair (Sedgefield): That is the good news.

Mr. Lloyd: That, as my hon. Friend says, is the good news.

Let me refer to the north-west. The hon. Member for Colne Valley referred to Ribble Valley. Let me tell the House about the prospects for manufacturing investment in the Ribble valley. According to the CBI's survey,

"Investment intentions point to rapid falls in planned capital expenditure on both buildings and plant and machinery."

That is the so-called good news that the Secretary of State wants to persuade the country is just round the corner. Is it good news given that, between the third quarter of 1989 and the third quarter of 1990, manufacturing investment in Great Britain as a whole fell by 8 per cent., that in the autumn statement the Government predicted a further 7 per cent. fall and that the CBI is now talking about a 16 per cent. fall in manufacturing investment?

The Secretary of State had the gall—I hope that he will correct me if I am wrong—to claim that Britain's growth in manufacturing investment compared favourably with that in France or Germany. The Secretary of State does not indicate whether I misquote him or not. In no year throughout the 1980s was manufacturing investment, as a percentage of GNP, anything like that in France or Germany—either when the Prime Minister was Chancellor or when he was in any of his other roles. Manufacturing investment in Britain, both in real terms and in percentage terms, fell well below that put in by our competitors.

Mr. Lilley: What I said was that the share of value added reinvested by manufacturing is the same in this country as it is in Germany and higher than it is in America.

Mr. Lloyd: Let me simply place on record the fact that the percentage of GNP invested by the Germans this year will be massively higher than the percentage of GNP invested by the British, and that is on a much higher GNP base. That is why, under this Government, we have fallen behind the Germans and the French and why we have continued to fall behind other countries. We have even fallen behind the Italians.

What are the consequences for regions such as my own —the north-west? We still bear the scars of unemployment from the first recession that the Government caused in the region. We have not recovered. That is especially true of the inner cities. As has been said, the constituency with the highest unemployment rate in Great Britain is in Liverpool. The second highest rate of unemployment is in the Manchester, Central constituency. Our young people and our communities suffer from increased crime rates, from the drugs problem, from unemployment and from poverty. That is what the Government have bequeathed to the regions of Britain.

We have listened intently to what the Secretary of State had to say. We looked for significant and real commitment to policies that would result in an increase in research and development spending and for any suggestion that the Government do not intend to cut the training budget and that they intend to ensure that the British work force is as highly trained as any in the world. We heard no such commitment and nothing positive to suggest that the Government are serious about offering a future to manufacturing industry. For that reason, whether the Prime Minister runs in June or leaves a general election until later, the public, when faced with the reality of the decline of the British economy, will turn to the Labour party for a policy that will revive our society.

9.50 pm

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Edward Leigh): When I saw that the Opposition were to invite the hon. Member for Stretford (Mr. Lloyd) to sum up for them, I was hoping to hear something about the training levy that figured so largely in a previous Labour party document. Like so many Labour party policies, it seems to have disappeared into a black hole and there has been no mention of it.

I shall be asking later about Labour party policy, but first I shall reply to some of the hon. Gentleman's remarks about the north-west. He did not mention the fact that, during the 1980s, manufacturing GDP in the north-west increased by a staggering 76 per cent. and the north-west is now second only to the south-east in terms of manufacturing GDP and investment.

We welcome this opportunity to discuss all economic matters in their widest sense. How right that is, because manufacturing industry cannot and should not be seen in isolation. We have set out to make fundamental reforms that benefit all sectors of the economy. As my hon. Friend the Member for Batley and Spen (Mrs. Peacock) said, our reforms have, over the past decade, released new, previously untapped energies in the nation. That is what supply-side economics are all about.

For the benefit of Labour Members, I shall list some of the reforms: the tax regime facing companies and their customers; trade union legislation resulting in a sea change in attitudes; competition; the return of swathes of industry to private hands; reducing burdens of red tape; stripping out distorting controls and subsidies. All that has given us eight years in which average growth has exceeded the 3 per cent. previously thought to be attainable only by our competitors. None of our major European competitors has been able to match our manufacturers' record in productivity and profitability.

Dr. Kim Howells: Will the Minister give way?

Mr. Leigh: I shall give way in a moment but I have only 10 minutes in which to speak.

The Opposition have never mentioned that success. That is to be expected, because our policies lie square behind it. Starved of bad news for eight successive years of economic growth, they greet the current downturn with ill-conceived glee and all the self-righteous canting denunciation that only the reformed sinner can muster. They pretend to care about manufacturing industry, but they see it simply as knocking copy for the next Supply day debate.

By all means, let Labour Members attack us, but let them stop talking down British industry. Let British industry get on with the job.

Mr. Allen McKay: Will the Minister give way?

Mr. Leigh: I shall give way in a minute—sit down.

Mr. Speaker: Order. I think that I say that—the hon. Member for Barnsley, West and Penistone (Mr. McKay) must sit down.

Mr. Leigh: I acknowledge that the present difficulties are serious and that the policies are painful. It is impossible to be in my job and not recognise that industry is suffering from high interest rates. But, in turn, the Opposition should acknowledge that the downturn has a strong cyclical element. They should acknowledge, too, that the greatest threat to industry is inflation. I think that those were the very words used by my hon. Friend the Member for Bexhill and Battle (Mr. Wardle).

We have heard nothing tonight from the Opposition. They have not revealed how they aim to cure inflation without curbing demand. Let us recognise, too, that as inflation comes down, recovery will be under way within the framework of the policies that we have created and through which so much has already been achieved.

If the Opposition will not take my word for it, let them consider an area in the Department of Trade and Industry for which I am responsible—inward investment. This country is the No. 1 choice for inward investors world wide. Some 40 per cent. of total inward investment in the EEC comes through this country. France is next after this country, but it accounted for only 14·4 per cent. Two thirds of all American direct investment comes to this country. That is a British success story and a success story of this Government.

What are Labour's policies and plans for British industry? Because the Opposition cannot abide the transformation of British industry over a decade, their view of British industry is necessarily like that of an old-fashioned camera—narrow, unfocused and thumb-on-lens. To the extent that their vision is focused, it is focused

on short-term difficulties rather than on long-term achievements. To the extent that their policies are evident, they involve the facile call for interest rate cuts that greet every turn of the economic cycle.

If we had listened to the right hon. and learned Member for Monklands, East (Mr. Smith) every time he called for interest rate cuts, inflation would now be roaring out of control. As always, the Opposition's immediate policies comprise the quick fix and the opportunist which are ideal for newspaper headlines today, but good for nothing except fish and chip wrapping paper tomorrow.

The hon. Member for Dunfermline, East (Mr. Brown) sees short termism everywhere except where it is most apparent—under his own nose. His answer for short termism in industry is short termism by Government—interest rate cuts and cash handouts.

I want to ask the hon. Member for Dunfermline, East four questions and I will give way to him if he wants to intervene. I have asked these questions in the four Trade and Industry debates over the past month, but he has refused to intervene. He ducked the questions. With total investment in the British economy now running at £100 billion a year, would a Labour Government be prepared to waste money coaxing investment over and above what the market provides and deems necessary? Do the Opposition deny that they will have to commit upwards of £10 billion a year? I will give way to the hon. Member for Dunfermline, East if he can explain his policies for the future of British industry. I have asked that vital question on many occasions, but he refuses to answer it.

Dr. Kim Howells: Will the Minister give way?

Mr. Leigh: I will not give way to the monkey, but I will give way to the organ grinder.

Secondly, what funding will be available to the national investment bank, to British technology enterprise and to the regional development agencies? I will give way to the hon. Member for Dunfermline, East if he will answer those simple questions.

My third question relates to the old National Enterprise Board to which we decided to give a mercy killing last week after a long period of hibernation. It was not referred to by the hon. Member for Dunfermline, East. It could borrow up to £750 million. Did it fail because it could borrow too much or too little? Should we do more or less? How much will British technology enterprise be able to borrow? I will give way to the hon. Member for Dunfermline, East if he will answer that simple question.

Finally, how does all that square with Beckett's law? The hon. Member for Derby, South (Mrs. Beckett) has said:

> "What we are promising is an increase for pensioners and . . . child benefit. Everything else that is regarded as a desirable aim is also listed, quite clearly and specifically, as something that we hope to do as resources allow."—[*Official Report*, 13 February 1990; Vol. 167, c. 179.]

There are my four questions and there have been four silences. We have heard no answers because if the Opposition were to answer, they would quite simply give the game away. We know that the presentation is different and the slogans have been put away. In their place are vague aspirations and empty promises. However, the reality is the same. It is the same mish-mash of state corporatism.

The Labour party has nothing to offer but more controls, more subsidies and more quangos. As the Minister responsible for consumer affairs, I would take a dim view of a shopkeeper who would not price what he displays and would not display what he really wanted to sell.

The Government will stand firm. We will not resort to quick fixes or to the opportunism of Opposition Members. We and the British people know that Labour's policies are misconceived, misguided, mistitled and missing. Let them falter; we will not fail.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 221, Noes 334.

Division No. 70] **[10 pm**

AYES

Abbott, Ms Diane
Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Benton, Joseph
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil

Kirkwood, Archy
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Hara, Edward
O'Neill, Martin
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Walley, Joan
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Allen McKay and
Mr. Thomas McAvoy.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Meyer, Sir Anthony
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Montgomery, Sir Fergus

Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

Mr. Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates Her Majesty's Government on the policies which have transformed the performance of manufacturing industry across the country over the past decade, which remain flexible and responsive to the needs of manufacturing, which have made manufacturing better able to withstand the present downturn, and which have enhanced its prospects for the 1990s; calls on Her Majesty's Government to remain steadfast in the pursuit of these policies and in its determination to defeat inflation which imposes a serious and damaging burden on manufacturing industry; and believes that any return to the discredited policies of subsidy, intervention, state control, public ownership and bolstering of union power would undermine manufacturing industry's achievements of the past decade.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Census (Confidentiality) Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Patnick.]*

CENSUS (CONFIDENTIALITY) BILL *[LORDS]*

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 90(6) (Second Reading Committees), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Mr. Derek Brown

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Patnick.]*

10.15 pm

Mr. John Carlisle (Luton, North): I am grateful to you, Mr. Speaker, for giving me the opportunity to raise this matter on the Floor of the House. I wish to raise the case of Mr. Derek Brown, a constituent of mine, and the problems that he has had since a heart bypass operation in March 1988. This debate has become necessary because certain facts need to be given a public airing. Hopefully, my hon. Friend the Minister will listen with interest to a case of which I know that he has some prior knowledge. Hopefully some good may come out of this sorry saga, which I must necessarily relate to the House this evening.

The unnecessary delays after my constituent's operation, the alleged negligence on the part of some of the staff, the misinterpretation of certain facts which were before the staff after Mr. Brown's operation and the delayed diagnosis now mean that my constituent finds himself unemployed. He had a very reasonable job. His character has become irrational and he suffers from loss of memory. He is unable to walk any distance. He needs a wheelchair so that his wife can take him to the shops. He is unable to pursue his favourite pastime, the leisure of walking. He is in constant pain daily and hourly and has to take a large number of drugs. He cannot take a bath without extreme discomfort.

Sadly, because he has been prudent enough to save money and put it aside for his family and has his own home, he cannot qualify for legal aid, or, indeed, any form of social benefit. He cannot afford the alternative treatments that could be available to him, such as acupuncture, because his resources are limited.

Throughout the sorry saga, Mr. Brown has been sustained and supported by his loving wife and his daughter Susan during a time which has been extremely difficult for the family. I hope that my hon. Friend the Minister realises the importance and gravity of the case, which leads me to bring it to the attention of the House tonight.

It may be of some use if I relate as briefly as possible the sorry saga of the operation and what occurred afterwards. The words of Mrs. Brown in a letter which she wrote to Mr. Plant, the chief executive of Brompton hospital, will give the House some idea of the type of malady that my constituent has suffered. She said in November 1988 of her husband Derek:

"After attending as an out-patient for approximately eighteen months he was advised by Dr. Honey that a bypass operation would give him a better quality of life. After a four month wait he was admitted in mid February 1988 and the operation was performed by Mr. Lennox on Wednesday 17 February 1988.

When I first saw my husband straight after the operation in Intensive Care, his condition gave me cause for concern. Although unable to talk he indicated for a pencil and paper and wrote that he had a very bad pain from the waist down. The nurse said it was just cramp and rubbing his legs would ease it. I rubbed his legs for at least an hour but he was still in pain so they informed a nearby doctor who agreed it was just cramp.

He was then transferred to the High Dependancy Unit and by Thursday morning the pain had increased further. I was becoming concerned and expressed this to the doctor who still insisted that the pain was due to cramp; however I felt it had to be more than cramp as he was not a person to complain. He was then put on Omnipon but the pain still persisted. By the time Mr. Lennox"—

the consultant surgeon—

"came to examine Derek, the pain was intense, also there was loss of feeling in both legs. I insisted on talking to Mr. Lennox as he left the ward who said that everything possible was being done; it was a case of resting and waiting. On Friday he was taken down for a CT scan and I was eventually informed by the registrar that the scan revealed that the aorta was torn, he said it had torn when they clamped during his by-pass operation. They later informed me that a consultant from St. Stephen's hospital was coming to see Derek that day. I waited until 10.40 pm but he had still not arrived and no one had the courtesy to explain his absence. Months later I discovered that his visit had been cancelled when the scan results were known.

On Saturday I was told that Derek might be transferred to Charing Cross hospital at some point. I then asked why this could not be done immediately and was told that it was a case of waiting; for what I do not know.

At 3 am on Sunday, 21 February, a telephone call to my room informed me that Derek was being transferred to Charing Cross straight away. When I arrived at the ward minutes later I was met with the horrifying sight of my husband in absolute agony, held down by the ward sister and two nurses. The bottom half of his body was a terrible colour, completely starved of blood and there was no doctor in attendance. Derek begged me to get someone to relieve his pain but according to the sister the maximum dosage of omnipon had been administered. After a nightmare journey by ambulance the staff of Charing Cross hospital were waiting to receive him. A CT scan and x-rays revealed blood clots everywhere. Operations were then performed to remove these and I was informed that the situation was very serious and in fact my husband may have to have both legs amputated in order to save his life. Thanks to the skill and dedication of the team led by Professor Greenhaugh this measure was not necessary.

However, two days later Professor Greenhaugh said that he was pleased with the right leg but that the left leg was causing concern and would require a further operation. This would have to be done without a general anaesthetic and Derek's agreement. At this point I was told that, should the operation prove unsuccessful, the left leg would have to be amputated. Once again the skill of the surgeon, Mr. Lane, saved the leg.

Many other things caused great concern during the time he was in the High Dependency Unit, including renal kidney failure, liver problems, a very low blood platelet count which necessitated two sessions on a dialysis machine. On one occasion Derek went completely out of his mind, he ripped all his drips out and tore off all his dressings which were over open wounds. He sat on a chair all day with blood running down his legs, refusing to have anyone come near him. The doctors tried to assure me that this was temporary and that this was the result of the physical and mental stress which Derek had suffered. However later that day the doctor became worried and Derek was taken for a brian scan which fortunately was clear. During the night, he thankfully reverted to his normal self. One by one most of these problems were overcome. Derek was finally transferred to a general ward where he made further progress although still in pain."

After that he returned to Luton and Dunstable hospital, was treated in the pain unit and since has had treatment at Stoke Mandeville hospital. As I said earlier, he still suffers minute by minute from a pain that I believe was partly caused by the unnecessary delays that occurred after his operation.

After the operation Mrs. Brown was naturally very anxious and had an interview with Mr. Lennox, the consultant surgeon, which lasted two and a half hours. Mr. Lennox said that he did not know what had happened to his patient at Charing Cross hospital a matter of hours after he had seen him at Brompton hospital. Mrs. Brown said that it was a most unhappy interview. Following that my constituent, Mrs. Brown, had several months of

correspondence with certain people, including Mrs. Hardy of Brompton hospital, Mr. Geffen, the consultant in public health medicine in North West Thames authority, Mr. Plant, the chief executive, and others. At all times all that she received was sympathy and some sort of understanding, but never an explanation of exactly what had happened to her husband.

She called on me as her Member of Parliament and together we went to see a Dr. Braithwaite at Brompton hospital who was extremely helpful and explained to us exactly what had happened after the operation. Mrs. Brown also applied to the health commissioner for some assistance, but was told that Mr. Brown's case did not fit the aegis and responsibility of the commissioner. At the same time she went to Action for Victims of Medical Assistance, and although it offered some help, it was seemingly unable to offer anything more than sympathy.

That result meant that I and certainly my constituent, Mrs. Brown, and her daughter felt that the matter should be aired and that a further review should take place. So we started to press for a clinical review. I regret to say that our efforts were thwarted at certain times by certain officials, who tried to make out that, were a review to take place, my constituents would not be able to take the matter to litigation should they choose to do so. I sought the help of my hon. Friend the Member for Kettering (Mr. Freeman), the present Minister's predecessor, and he was extremely helpful. Indeed, the present Minister too has been very helpful. It was confirmed that if my constituents wished to have a clinical review they could have one, and that it would not affect litigation—a course that was still in their minds.

The clinical review took place on 17 December. I was present, together with Mrs. Brown and her daughter Susan. A promise was made at that time that the result would be made known to me and to my constituents by the end of the month. On 21 January I was informed that the results would take a few more weeks. Time was beginning to run out for the Browns. If they were to mount any form of litigation, they would have to decide before 1 March whether to issue a writ against the hospital. I suspect that there may have been in the minds of those in authority, either at North West Thames or at the Brompton, that the time for litigation was beginning to run out. In those circumstances, they might have avoided that action.

The results of the review were given in confidence to myself and my constituents, but as this is a matter about which the House should hear, I make no apology for revealing some of that information now. Basically, the review concluded that the clinical management during the operation was satisfactory. With that, my constituents and I do not argue. However, the review criticised the long delay between the Wednesday on which the fateful operation was performed and the Sunday morning when Mr. Brown was finally taken to Charing Cross hospital. The review report says that the process took very much longer than was necessary. I believe that it took very much longer than was necessary to diagnose the condition from which my constituent was obviously suffering. Blood could not reach his legs, and the poor man was in the most terrible pain. It is a fact that the nurses and other members of staff fobbed Mrs. Brown off with the story that the problem was cramp. But the hospital should have known that that condition is very rare after an operation such as this one. I believe that, with hindsight, the diagnosis was understood to be wrong.

Throughout this time, Mr. Lennox, the consultant, was a somewhat shadowy figure. Indeed, the review report, quite rightly, levels some criticism at him for the way he acted in this case. For example, he did not himself perform the operation; it was performed by Mr. Livesey, the registrar. Only when the review had been concluded—after three years—did my constituents find out that Mr. Lennox had not taken part in the operation, although he had virtually given them the impression that he had operated. The report says that he did not remember whether he had seen the patient at any stage prior to the operation. Obviously his memory is not one of his greatest assets. The report criticises him for having said that his routine was always to be in the operating suite but that he could not remember for certain whether he was there at the time of Mr. Brown's operation. So this high-ranking consultant surgeon could not remember whether he was in attendance.

After the operation he said that he did not see the patient until the second day, by which time, of course, Mr. Brown was in the most terrible agony. So far as Mrs. Brown was concerned, Mr. Lennox was in charge of the operation, but her attempts to talk to him were in vain. Only on the occasion of one of her visits, when a sister ran after Mr. Lennox and asked—virtually begged—him to come back and talk to Mrs. Brown, did she finally get round to speak to the man who obviously was responsible for the operation on her husband.

The report and the events that have been described to me by my constituents give me some suspicion that Mr. Lennox displayed enormous arrogance, was totally uncommunicative to Mr. and Mrs. Brown and, sadly, showed an uncaring attitude to the case.

Two lines of redress are open to my constituents. First, there is litigation. On my advice, my constituents have issued a writ against the Brompton hospital in order to keep within time. However, I know that that is not within my hon. Friend's responsibility and you, Mr. Speaker, would be right to pull me up on that. The other line that is open to my constituents is some form of compensation by the special health authority, and that, I think, is the line that they will take.

It is for my constituents to decide whether to go down the legal road or to seek compensation. It is not a matter for any hon. Member and certainly not for my hon. Friend the Minister, but I want justice for my constituent whose life has been ruined, largely because of the delay which occurred after the operation. I want some form of relief for my constituent who will suffer pain for virtually the rest of his life. He is now without means of support and completely reliant on his wife and her job and, to a lesser extent, on his daughter. His wife and daughter have been incredibly supportive during a very difficult time.

Will my hon. Friend make a fuller investigation of the facts of the case that I have presented to him, in addition to the clinical review that took place? Obviously, the review has not been satisfactory in terms of understanding the full extent of the problem that occurred at that time.

The special health authority must accept its responsibility for what went wrong. I was rather saddened that at one meeting that I had with the chief executive of the special health authority, Mr. Plant said that if compensation was given to the Browns

"any money granted would necessarily reduce amounts available for other patients."

[Mr. John Carlisle]

That is probably one of the most disgraceful comments that has ever been made within the NHS. It was virtual blackmail, telling my constituents that money was available but should they get it others would suffer.

I bring to the attention of the House the case of one of my constituents who is in desperate need of assistance and who has genuinely suffered through malady, mistakes, negligence and delay that occurred after the operation. No criticism is levelled at the man who performed the operation or at the Charing Cross hospital which, on finding Mr. Brown in that particular state, was marvellous. But criticism must be levelled at the Brompton hospital, at the surgeon and at those around who did not recognise the condition and, as a result, have left my constituent in a terrible state with the terrible problems that he suffers today.

10.33 pm

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): My hon. Friend the Member for Luton, North (Mr. Carlisle) is an old friend and an old parliamentary hand, and he has used the procedures of the House to draw attention to one of his constituents whom he feels has not received proper treatment from the NHS. It is a classic example of the way in which Adjournment debates are intended to be used, allowing hon. Members to draw attention to inadequate performances within the public sector and to seek redress on behalf of their constituents. I congratulate my hon. Friend on that even if, in the process, he made me feel somewhat uncomfortable as the Minister responsible for the NHS.

I begin by reciting what I hope can be regarded as common ground in the case. It is clearly common ground that the outcome of the operation performed on Mr. Brown was, to put it mildly, disappointing. The outcome was a cataclysmic decline in the expectation of the quality of life that Mr. Brown and his family had, as a result of the fact that he has lost his job, that he suffers mental stress because of the failure of the operation and that he can no longer enjoy a healthy life. In particular, he can no longer enjoy walking which he used to do. As somebody who also enjoys walking in open country, I particularly feel for that. I asked myself, as my hon. Friend was speaking, how I would have felt, faced with the fact that I would no longer be able to enjoy that pleasure as a result of a failed operation within the national health service. So it is common ground that there was a cataclysmic failure of an operation on my hon. Friend's constituent.

I hope that my hon. Friend will accept that the regret that he feels, and obviously that Mr. Brown's family feels, at the outcome of the operation is shared by all who were involved in it. Although my hon. Friend criticised Mr. Lennox and Mr. Plant, they share that regret. The staff at the Brompton will feel particular regret and sadness that they, as people who spend their lives dedicated to a caring profession, failed in the case of Mr. Brown to fulfil the promise which the national health service offers of a return to health wherever that is possible. That much, therefore, can be regarded as uncontroversial.

My hon. Friend, although entirely proper in his use of the Adjournment procedure, puts me in a difficulty on two counts. The details of the treatment of any patient within the national health service are confidential. The reports to which my hon. Friend referred are headed "Confidential". It is, therefore, not open to a Minister to reply in detail, quoting from parts of a report that might present a more balanced picture to the House. So I am constrained on the one hand by confidentiality and on the other by the fact that my hon. Friend was open with the House about the allegation of negligence which stands in the background against some of the employees of the national health service and, therefore, against the national health service itself.

I am neither a lawyer nor a medic, and I am therefore anxious in what I have to say to demonstrate that there is, as I have already said, regret on the part of all in the national health service at the outcome of the case. Clearly, I do not wish to compromise the commitment of the health service to confidentiality in dealing with its patients, or to compromise the position of the national health service if it is to find itself in the near future the defendant in a case of negligence.

Having said all that, I think that it is of interest to the House to hear what procedures exist for addressing cases where patients are properly dissatisfied with the outcome of treatment within the national health service. As my hon. Friend has hinted, there are, broadly speaking, two ways in which a patient can pursue a case if he is not satisfied with the results of the treatment that he has received.

First, if he believes that the national health service or doctors or clinical staff working within it have been negligent, the patient has a right, as any sufferer from the tort of negligence has, to sue the health service and to demonstrate in a court of law that its employees were negligent and that, therefore, the health service stands with a debt of damages to the damaged patient. That is not a matter for me and not something which is properly debatable in the House.

Secondly, and standing separately from the possibility of redress through litigation, the patient can seek administrative review of the way in which the case was treated by the national health service through the clinical complaints procedure. The clinical complaints procedure goes through several stages. The third stage, the last stage of which has already been gone through in Mr. Brown's case, provides for an independent professional review. In that case, the regional medical officer will want to be satisfied that the complaint is of a substantial nature, but is unlikely to be the subject of more formal investigation by the authority or of legal action before it initiates the process. Two independent consultants, working in the appropriate field and at least in a comparable setting but in a different region, review the case. The review is in the nature of a second opinion, and that will have been explained to the complainant.

The reviewers will submit a confidential report of their findings to the regional medical officer, who will decide how much of the clinical content of their report is reflected in the final letter to the complainant, which is sent to the officer who commissions the review. That is the end of the clinical complaints procedure. Mr. Brown's case has gone through that independent professional review.

As I made clear in my letter to my hon. Friend last June, the object of the clinical complaints procedure is to resolve the complainant's anxieties about the treatment that a patient has received, or to make any necessary recommendations to the health authority, or to individual staff concerned, if it seems possible that a similar situation could occur in the future.

The purpose is not to consider questions of compensation—as has been made clear to my hon. Friend and to his constituent at all stages of the clinical complaints procedure.

A key stage in the clinical complaints procedure is a review of the case by independent doctors. The aim of that review is to provide a fresh, professional opinion on the clinical handling of the case. If, in the opinion of the independent doctors, their review is taking in areas outside their expertise, or more appropriate to a court, they may halt the proceedings and report their findings to the regional medical officer.

The clinical complaints procedure is intended to deal with complaints of a substantial nature but which are not, prima facie, likely to lead to litigation. If at the time a complaint is made the complainant made it clear that he intended to pursue litigation, there would be no point in the health authority starting a procedure which would later be superseded by the courts.

That is the context of the question whether the clinical complaints procedure baulks a later resort to litigation. There is no suggestion—and there should never be—that by going through an administrative procedure a citizen forswears his right to litigation. That is not the position. The health service seeks to establish that there is not a clear intention, at the beginning of the administrative procedure, to resort to litigation. My hon. Friend and his constituent made that statement at the beginning of the administrative procedure that I have been talking about. My hon. Friend was concerned about the delay in the completion of the procedure, but I give him an absolute assurance that the delay was not in any way designed to baulk the 1 March date that he mentioned. Indeed, the handling of the clinical review was not out of line with the time that such procedures normally take. If anything, it was on the short side of average. The regional health authority stands discharged of any charge that it was attempting to baulk my hon. Friend's constituent's right to litigation.

I must comment in passing upon my hon. Friend's suggestion that the fact that Mr. Lennox did not perform surgery on my hon. Friend's constituent was in some sense unusual. It is a perfectly normal procedure in the national health service. Doctors who are well advanced in their training perform operations, subject to the overall clinical management of a consultant who may not be in the theatre at the time the operation is performed. That is a well-established part of training in the NHS.

My hon. Friend then sought to raise the question of a claim for compensation against Brompton outside the context of negligence litigation. No health authority, including Brompton, is able to agree to make a compensation payment when there is no likely prospect of a claim for compensation being successful. In this context, compensation is paid against the possibility of an action for negligence. No health authority is able to pay compensation that is divorced from the principle of negligence. That is precisely the principle that the House reaffirmed by a very large majority in a debate on 1 February. The House has reaffirmed its view that compensation should be paid only when negligence can be proved. If that is my hon. Friend's case, his redress lies in the courts, not in this House.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Wednesday 20 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRITISH RAILWAYS (No. 2) BILL
Order for Third Reading read.
Queen's Consent, on behalf of the Crown, signified.
Read the Third time, and passed.

MIDLAND METRO (PENALTY FARES) BILL *[Lords]*
Read the Third time and passed, with amendments.

Oral Answers to Questions

TRADE AND INDUSTRY

Tinplate

1. **Mr. Wigley:** To ask the Secretary of State for Trade and Industry if he will state the latest figures for the output of tinplate in Wales and Great Britain, respectively.

The Parliamentary Under-Secretary of State for Industry and Consumer Affairs (Mr. Edward Leigh): The average monthly output of tinplate in the first five months of 1990 was 72,000 tonnes. All British production of tinplate is based in Wales.

Mr. Wigley: The Minister will be aware of the importance to Wales of the tinplate industry, which in its heyday employed some 7,000 people. In view of the loss of jobs at Velindre, will he give an assurance that there is now certainty for the future of that industry? As £120 million worth of tinplate is to be imported into Britain this year, will the Minister examine the matter to see how we can maximise our own output and the jobs that depend on it?

Mr. Leigh: As the hon. Gentleman may know, there has been a very gradual decline in the production of tinplate due to competition from aluminium. In answer to the hon. Gentleman's other question, now that British Steel is privatised, profitable and successful, I do not think that it is down to a Department of Trade and Industry Minister to comment in detail on the company's commercial operations and I have no intention of doing so.

Mr. Quentin Davies: Does my hon. Friend agree that British Steel is already one of the most positive examples of the benefits of privatisation? In 1979-80 it lost £1·7 billion, but in the past year it made a profit of £700 million. That example is being followed with interest throughout the world and one can only hope that it will be followed with interest and understanding by Opposition Members.

Mr. Leigh: I fear that my hon. Friend will receive no reassurance from Opposition Members, who still seem not to accept the benefits that have accrued to British Steel as a result of privatisation. The whole world knows that we have one of the most successful and profitable steel companies in the world and we at the DTI intend to leave it well alone.

Dr. Reid: Would the Minister like to make that claim to the 370 employees at the Ravenscraig hot strip mill who lost their jobs last week, the 400 workers at Ravenscraig who will lose their jobs at the end of the month, the 1,200 people at the Clydesdale tube works who face the sack within the next three months or the 3,500 and the rest at Ravenscraig and the 2,000 connected with them who are liable to lose their jobs? How can he possibly regard a company that throws away the most productive steel plant in Britain and, indeed, in Europe as a shining example to the rest of British industry?

Mr. Leigh: As regards Ravenscraig, the hon. Gentleman knows full well that certain undertakings were given to the Government by British Steel, and the Secretary of State for Scotland is pursuing that matter. As regards the hon. Gentleman's general points about British Steel, we return as always to the original fact that in 1979 the industry was making a loss of £1 billion and now it is making a profit of £600 million.

Capital Adequacy

2. **Mr. Dykes:** To ask the Secretary of State for Trade and Industry if he will outline the progress being made by his Department in negotiating the capital adequacy revised directive with our EC counterparts in the Trade and Industry Council.

The Minister for Corporate Affairs (Mr. John Redwood): In June 1990 the Commission tabled a proposal on capital adequacy. More recently, it tabled a position paper on equity risk and interest rate risk. We are negotiating on those proposals together. I am consulting widely with the industry concerned and we wish to see the principle established that capital should be related to the risks being run.

Mr. Dykes: I thank my hon. Friend for that answer and wish him well in the work on the revised draft text. Is he now confident that that will give a level playing field, a single-market basis and a fair opportunity for competition by British financial intermediaries?

Mr. Redwood: No, I am not yet fully satisfied on that point. A number of issues relating to independent financial advisers still need to be discussed and brought to a satisfactory conclusion. I am pleased that the Commission is now a partner and is listening carefully to our argument that IFAs should be distinguished by the amount of risk being run, that different levels of capital should apply to them and that in some cases exemptions should apply to them. I should like to see rather more exemptions than are currently proposed, but getting agreement on that will obviously be difficult as it involves a qualified majority vote.

Mr. Skinner: Will the Minister tell his Common Market counterparts that in the jungle of the City of London it would be a good idea to learn some lessons from the

swindle at Harrods, the Blue Arrow fiasco and all the rest of the City frauds? They will certainly not achieve a level playing field like that.

Mr. Redwood: It is typical of the Opposition always to try to run down the City of London and this country's financial services. It is high time that the Opposition got behind those services and realised that they create hundreds of thousands of jobs and do a very good job for this country in Europe.

Mr. Michael Irvine: Does my hon. Friend agree that the proposed capital adequacy requirements as they stand, could all too easily restrict choice, reduce competition and thus damage the interests of the financial consumers whom they are intended to assist?

Mr. Redwood: I have already said that the United Kingdom Government wish to see capital related directly to risk. If we succeed in that, my hon. Friend's fears will be confounded. I accept his intention and that we still need to make more progress over the definition of categories for various types of independent financial adviser. One of my main objectives is to try to avoid independent financial advisers being squeezed by European directives.

Northern Development Company

3. **Mr. Cousins:** To ask the Secretary of State for Trade and Industry when he proposes to meet the board of the Northern Development Company to discuss the company's business plan for 1991-92.

The Secretary of State for Trade and Industry and President of the Board of Trade (Mr. Peter Lilley): I have no present plans to meet the board of the Northern Development Company. Its plans and grant application for its inward investment activities for 1991-92 are currently being given careful consideration, along with those of the other four regional development organisations. My hon. Friend the Parliamentary Under-Secretary of State for Industry and Consumer Affairs will be announcing the level of grant for all the regional development organisations in early March.

Mr. Cousins: The Secretary of State will know that the Northern Development Company was created by people in the north to promote inward investment. Given the spirit of his speech yesterday, does he now regard it as a fully fledged regional development agency and, if so, will he give it the resources to promote inward investment from the south into the north so that, as the puff of credit which floated to the south sinks, people can move to the north where opportunity is greater and life is better?

Mr. Lilley: The Northern Development Company is doing an excellent job. It has a good record of attracting companies into the north-east—about 31,000 jobs have been created by inward investment in the north-east and the northern region—and it will receive the largest grant of any of the regional development organisations.

Mr. Trotter: As the Northern Development Company has all-party support, is a bright example of success in the north-east in terms of its economic promotion and has contributed significantly to the resilience of our region, will my right hon. Friend therefore maximise support for its future and for that success?

Mr. Lilley: I shall certainly do so. As I have said, the company will receive the largest grant of all the regional development organisations. It has an excellent record. In addition, English Estates is planning 600,000 sq ft of extra factory space in the region.

Mr. Campbell-Savours: Does the Secretary of State recognise that there has never been a more important time than right now to reverse the Government's damaging industrial strategy in the northern region? Why do the Government not reopen the door that they so firmly locked in 1979 when Labour left office and restore to our region the levels of industrial assistance that were available at that time, which brought tens of thousands of jobs to the north of England?

Mr. Lilley: The hon. Gentleman should ask his own Front Bench. As I understand it, his right hon. and hon. Friends have no intention of restoring regional development grants. If they have, they had better tell us where they intend to get the money from.

Tax Burden

5. **Mr. Butterfill:** To ask the Secretary of State for Trade and Industry if he will make a statement on the tax burden, including employers' social security contributions and payroll taxes, on British, French and west German companies, expressed as a percentage of gross domestic product.

Mr. Lilley: In 1988, the latest year for which figures are available, direct taxes on corporations and employers' payroll social security contributions were 8·9 per cent. of gross national product in the United Kingdom; 10·5 per cent. in west Germany and 17·2 per cent. in France.

Mr. Butterfill: Does my right hon. Friend agree that those gratifying figures go some way to explaining why business investment in the United Kingdom since 1979 has been higher than in either France or Germany? Does he further agree that we must keep those burdens down and reduce them further if we are to have continuing long-term investment in the United Kingdom?

Mr. Lilley: My hon. Friend is absolutely right. The lower burden on taxation on industry in Britain goes a long way to explaining why we have three times as much inward investment as France and six times as much as Germany. I cannot pre-empt the Budget judgments of my right hon. Friend the Chancellor of the Exchequer, but I agree that it is important to keep the burden of tax low. We remember all too well that the Labour party voted against a reduction in the corporation tax rate.

Mr. Alex Carlile: Does the Secretary of State agree that many industrialists complain justifiably about the amount of bureaucracy involved in collecting the taxes that they pay? Does he believe that we should make progress towards a unified tax and benefits system? Does he also agree that the reintroduction of enhanced capital allowances would enable industry to invest in itself in a more useful way?

Mr. Lilley: The Government considered in the 1988 Green Paper the unification of taxation and social security benefits and concluded that it simply was not feasible

because the two were on different time scales and had different purposes. It would make the bureaucracy far worse if we unified taxation and social security benefits.

Sir Anthony Grant: Is my right hon. Friend aware that one of the most tedious tax burdens on very small firms is the absurdly low level at which they become responsible for value added tax? Will he continue, perhaps in conjuction with his colleagues and the Chancellor of the Exchequer, to make representations to the European Community to raise the level?

Mr. Lilley: I agree with my hon. Friend. He makes a good point. We have consistently argued with the EC that we should be allowed to raise the level further. We have set the level as high as possible under Community law, but there is a proposal in the works that would raise the level higher. That proposal has been made basically on our initiative, but it is grinding exceeding slow.

Furniture and Furnishings

6. **Mr. McCartney:** To ask the Secretary of State for Trade and Industry what further representations he has made to the European Commission to ensure that legislation concerning the flammability of furniture and furnishings meets the highest safety standards pertaining for British consumers.

Mr. Leigh: The Commission has held three consultative meetings with member states about its proposals for a directive on the fire behaviour of upholstered furniture. In these discussions we have made it clear to the Commission that the United Kingdom could not support any proposals that would reduce the level of fire safety provided in the United Kingdom by the Furniture and Furnishings (Fire) (Safety) Regulations 1988. This view was confirmed in a position paper sent to the Commission in September 1990 and reinforced in a bilateral meeting with the Commission last November.

Mr. McCartney: I thank the Minister for that reply. The whole House will welcome the Government's opposition to attempts by our European partners to reduce fire safety standards to a level that will put us back 20 years. The House should understand that the Commission's proposals affect furnishings not only at home but in public places. Is the Minister prepared to meet the officers of the all-party home safety committee to discuss with them the need to inform the public and others that we are not prepared to see fire safety standards traded off by the Commission for the purposes of 1992? Will he welcome the reduction for the first time in 20 years in deaths from fires at home in Britain, which has been brought about by the new legislation?

Mr. Leigh: I pay tribute to the knowledge that the hon. Gentleman brings to these matters. We are aware of his deep interest in them. I fully agree with what he says. Of course, I shall meet any delegation. I take these matters seriously, not least because I am a father of young children. So long as I am the Minister responsible for consumer affairs, I shall fight any proposals that in any way weaken our regulations—which, as the hon. Gentleman knows, are some of the strongest in Europe.

Only today we issued a leaflet entitled "Making furniture safer" on the Department of Trade and Industry's lead in Europe in making furniture as safe as possible.

Mrs. Currie: Will my hon. Friend confirm that the number of deaths in domestic fires, particularly among women and children, has dropped sharply in Britain since we introduced much stricter rules about the foams and fire retardant materials to be used in furniture? Does my hon. Friend accept that this is serious and that it is preposterous for the European Commissioner to suggest that there are no satisfactory tests which could be introduced? Why does not my hon. Friend simply show him what we do in Britain and how well it works?

Mr. Leigh: That is precisely what we are doing in discussion with the European Commission. To set this matter in context, I should say that the proposals are at an early stage and the Commisison has not come back with any proposals to the Council. However, we are not satisfied with the way in which the proposals are drafted and we intend to toughen them up. As my hon. Friend the Member for Derbyshire, South (Mrs. Currie) has said, we have good, tough regulations and the number of deaths is coming down. We must keep up the good work.

Mr. Nigel Griffiths: Why does the Government leaflet published today not alert the public to the threat to British safety standards? Why has the Minister failed to support and defend British firms which have invested £20 million in developing safer foam products? Will he give an assurance that his Department will fight the disastrous draft directive and ensure that dangerous foam products which do not meet the highest British standards are stopped at Dover?

Mr. Leigh: That is an absurd contribution, unlike those made by my hon. Friend the Member for Derbyshire, South and the hon. Member for Makerfield (Mr. McCartney). Tens of thousands of copies of the leaflet have been issued and it relates to regulations on the statute book now. Perhaps the hon. Gentleman was not listening, but I have already explained that the proposals from the Commission are at a draft stage and that we intend to resist them. To start talking about regulations that might or might not be made in the future and putting them in a leaflet going out to ordinary members of the public would be absolutely absurd.

Monopolies and Mergers Commission

7. **Mr. Holt:** To ask the Secretary of State for Trade and Industry if he is planning to enlarge the scope of the Monopolies and Mergers Commission; and if he will make a statement.

Mr. Lilley: I have no plans to enlarge the scope of the Monopolies and Mergers Commission.

Mr. Holt: Given the outstanding record of the DTI in the past few years—[Interruption.]

Mr. Speaker: Order. There is nothing wrong with that.

Mr. Holt: Given the DTI's outstanding record in the past few years on the Barlow Clowes affair, the Iraqi supergun affair and on the jewel in the crown, the MMC, and its fiasco over the brewers, its complete and utter

inexplicable decision on British Satellite Broadcasting and Sky and, latterly, its refusal to allow ICI to dispose of its fertiliser interest to Kemira, can my right hon. Friend say when he will start to listen less to the civil servants surrounding him, who know nothing, and take a little more interest in what is told to him by his friends on the Back Benches who represent the relevant areas?

Mr. Lilley: My hon. Friend is as vigorous a defender of the interests of his constituents as he is of my Department. I appreciate his concern about the MMC report and the possible effects on Cleveland Potash Limited in his constituency about which we have spoken. There is no certainty that, as a result of that report, ICI will close its plant and I very much hope that it will not. There is no certainty that ICI will be unable to find another buyer, should it decide to seek one, as I hope that it will. There is no certainty that if the Kemira sale had gone through, it would have safeguarded indefinitely the potash plant in my hon. Friend's constituency. My hon. Friend should remember that there is almost no precedent, at least since 1982, for a Secretary of State for Trade and Industry to turn down and fail to implement the recommendations of an MMC report of that kind.

Mr. Michael J. Martin: The Minister must be extremely worried about the mergers taking place, because they are just an excuse for asset stripping. I highlight the problem in Glasgow concerning the tobacco industry, which has created wealth in that city for many centuries. Imperial was taken over by Hanson. There were good industrial relations, a hard-working work force and profits in the industry, but the factory is to be closed down and the work taken to Bristol. The factory will then be sold off to the highest bidder and Hanson even has the cheek to intimate that he is looking for a grant from the Scottish Development Agency to do his dirty work.

Mr. Lilley: My hon. Friend the Member for Langbaurgh (Mr. Holt) was talking about a merger that the Monopolies and Mergers Commission did not allow to take place. It is right to have an organisation such as the MCC which uses competition as the principal criterion on which to decide whether a merger should or should not go ahead.

Mr. Norris: Will my right hon. Friend confirm that he is determined to draw even more closely to the attention of the MMC the real danger of nationalisation by the back door of companies in Britain when they are subject to the attentions of overseas companies that are either nationalised or semi-nationalised? I congratulate my right hon. Friend on the tough stand that he has taken so far and urge him to ensure that the MMC always has that principle firmly in mind.

Mr. Lilley: I am grateful to my hon. Friend for those remarks. I shall consider each case on its merits and take into account the degree of state ownership when considering whether to refer a proposed merger to the MMC. In the past few years, about a quarter of takeovers in this country have been by foreign, state-owned companies. Since I announced my decision, I believe that the rate has become lower.

Mr. Beggs: If necessary, will the Secretary of State enlarge the MMC's brief to enable it to look into the unfairly low price paid for electricity put on the national grid by those producing from small hydroelectric turbines? Many more economy sites could be developed throughout the United Kingdom if those who generate from hydroelectric turbines were awarded a fair price for the electricity that they generate.

Mr. Lilley: I will certainly draw the hon. Gentleman's point to the attention of my right hon. Friends the Secretaries of State for Energy and for Northern Ireland.

Financial Advisers

8. **Mr. Andy Stewart:** To ask the Secretary of State for Trade and Industry what proposals Her Majesty's Government have to assist independent financial advisers in the EC.

Mr. Redwood: My Department and I argue strongly for independent financial advisers in Europe, particularly in respect of the investment services directive and the capital adequacy directive. We should like them to take advantage of the passports in that directive, but only if the capital requirements are sensible.

Mr. Stewart: Will my hon. Friend confirm that the Government believe that independent financial advisers have a role to play in the single European market? Will he confirm that the Government are doing everything possible to ensure that such advisers can play such a role?

Mr. Redwood: Yes, I hope that they will have a role to play. I should like it if they would have a passport, through the investment services directive, to carry out cross-border business, but that would depend on getting the right answer about capital, which is important to them.

Mr. Tom Clarke: Will the advisers have a role in explaining away the neglect by the present Government of the British film industry in Europe? Will they explain why the Government have reneged on their fairly miserable commitment to give £5 million to the European co-production fund? If that is to be the policy of Her Majesty's Government in Europe, will the Minister accept that the advisers will have an almighty job to explain away the once-thriving British film industry?

Mr. Redwood: That has nothing to do with the main question and is symptomatic of Opposition Members' attitude to the important issue of IFAs. Unfortunately, the hon. Member for Redcar (Ms. Mowlam) is not present today. She has been alleging in the press that FIMBRA —the Financial Intermediaries, Managers and Brokers Regulatory Organisation—is in danger of becoming bankrupt. I hope that she will withdraw that allegation. Another way in which we are helping IFAs is to show the true financial position of FIMBRA, which told me yesterday that it now has net cash in the bank and a budget plan for next year which will mean that its costs will not be greater than its revenues if all goes according to plan. I hope that Opposition Members will concentrate on IFAs, the matter in hand, which have no role to play in the film industry.

Acquisitions and Mergers

9. **Mr. Cran:** To ask the Secretary of State for Trade and Industry what was the value of acquisitions and mergers by United Kingdom companies of United Kingdom companies in each year from 1984 to 1989.

Mr. Lilley: The value of acquisitions and mergers by United Kingdom industrial and commercial companies within the United Kingdom rose steadily from £5 billion to £27 billion between 1984 and 1989, I will publish the annual figures in the *Official Report*.

Mr. Cran: Will my right hon. Friend take this opportunity to confirm his confidence in the takeover panel and takeover code, and acknowledge that there is concern in the City and elsewhere about the effect on the panel of the 13th draft EC directive, or whatever it is called, which substitutes a more legalistic approach for the highly pragmatic approach that we take in the United Kingdom? Will he confirm that he will make every endeavour to ensure that that EC beast is not foisted upon us?

Mr. Lilley: My hon. Friend makes a good point. There is much concern in the United Kingdom about this. Our voluntary takeover panel works very well. The bulk of takeover activity occurs in this country, so we have a right to a major say in any legislation that will bear on the United Kingdom and we shall vigorously uphold British interests in discussions in Brussels. It is, however, a matter for majority voting, so we cannot be absolutely sure that we will get our way; but we have quite a good track record of persuading our partners of the rightness of our cause.

Mr. Batiste: Does my right hon. Friend agree that what is needed in mergers is consistency, speed of determination and lack of duplication by Government agencies? Therefore, when the mergers directive is in place, will he prevent the Monopolies and Mergers Commission and the Director General of Fair Trading from making any attempts at empire building?

Mr. Lilley: I entirely agree. The greatest possible simplicity, speed and certainty are important in these mergers. I shall take my hon. Friend's point into account.

Following is the information:

	£ million
1984	5,474
1985	7,090
1986	15,370
1987	16,539
1988	22,836
1989	27,253

Recession

10. **Mr. Hoyle:** To ask the Secretary of State for Trade and Industry if he will make a statement on the effects of the recession on industry in the north-west.

Mr. Leigh: The defeat of inflation is the only sure way to achieve sustainable economic growth. Business in the north-west is well placed to weather the current downturn and to take full advantage of the opportunities offered by the 1990s.

Mr. Hoyle: That was a very complacent reply. In British Rail Engineering Ltd. and Rolls-Royce alone, 1,000 jobs will be lost; 30 per cent. of manufacturing industry has been destroyed by the Government since they came to office; one in three manufacturing jobs in the north-west has been lost; Lewis's, the retail giant, is going into bankruptcy; bankruptcies are running at record levels; and investment is falling. Even though the Minister may have been a car-boot salesman in the past, will he visit the north-west, get out of his limousine and meet real people, who will explain the position there to him? Does he realise that they will tell him that it is time this fag-end Government of weary Willies and tired Tims resigned?

Mr. Leigh: In that long litany the hon. Gentleman wholly failed, as one might expect, to give us any good news about his constituency. Perhaps I can help the good people of Warrington by announcing that recently, Digital Equipment Company, one of the largest computer manufacturers in the world, revealed plans for a £20 million investment in the hon. Gentleman's constituency. It is a pity that he does not speak up more for Warrington, where unemployment is below the national average. But it is not nearly as low as in Clitheroe, in the Ribble Valley constituency, where it is 2·8 per cent.

Mr. Dover: Will my hon. Friend confirm that the official figures for employment in the north-west show an increase of 60,000 in the past 18 months?

Mr. Leigh: My hon. Friend is right. We all know that there has been an increase in employment in the north-west, although we should see it in the context of the fact that more people are in work nationwide than ever before—and in all sectors of the economy. We should also recognise, as I said in my original answer, that the only way to get rid of unemployment in the long run and to ensure that British industry is competitive is to lick inflation. That is the purpose of our policies.

Mr. Henderson: As 25,000 jobs have been lost in recent months in the textile industry, many of them in the north-west, and now that the GATT talks have been resumed and there is an understanding in Europe that no conclusion will be reached before July this year, by when the multi-fibre arrangement will have run out, will the Minister assure the House today that the Government will, without delay, discuss the multi-fibre arrangement at the Council of Ministers and seek its renewal after July, at least for an interim period until the GATT talks are concluded?

Mr. Leigh: The arrangements will continue to the end of the year and there will be a transitional arrangement. It is particularly in the interests of industry, including industry in the north-west, that we obtain a settlement in the GATT negotiations and we intend to do so. If a settlement is achieved the considerable benefit to consumers has been calculated at about £1 billion.

Business Investment

11. **Mr. Charles Wardle:** To ask the Secretary of State for Trade and Industry if he will make a statement on business investment.

Mr. Redwood: Business investment grew by 8 per cent. in 1989 and by 43 per cent. over the three years to 1989. Since 1980 business investment in the United Kingdom has grown faster than in any of our major industrial competitors except Japan.

Mr. Wardle: If industry is to resume the record levels of investment achieved between 1987 and the middle of last year, is not it essential that the Government first defeat inflation?

Mr. Redwood: I agree that reducing inflation is very important to business confidence and investment. The House may like to remember that investment was running at well over £55 billion in 1989, compared with a level under the Labour Administration that never got anywhere near £40 billion in real terms.

Mr. Haynes: Where was the Minister yesterday when my hon. Friend the Member for Dunfermline, East (Mr. Brown) made a marvellous speech at the Dispatch Box about trade and industry? It is a shocking state of affairs when we have a Minister standing at that Dispatch Box talking about how much the Government have invested in British industry when those Conservative organisations, the CBI and the chambers of commerce, do not agree with what he is saying. Will the Minister get up and tell us what he is going to do about it?

Mr. Redwood: I was present for the first part of the speech by the hon. Member for Dunfermline, East (Mr. Brown). Then I went off to make a speech to a group of business men and hear for myself what is happening in British business.

The hon. Member for Ashfield (Mr. Haynes) asked what we are going to do about it. My right hon. Friend the Secretary of State and my hon. Friend the Under-Secretary of State for Industry and Consumer Affairs made it clear: having a sound economic policy is vital to investment confidence.

Mr. Hill: Does my hon. Friend agree that it is very difficult for a British company to compete against overseas companies in this country when it comes to investment? There are not enough offsets for the investor, who is tempted to leave his money on deposit rather than risk it. We need a fresh impetus from the Treasury to make sure that British investors will invest in this country.

Mr. Redwood: In the early 1980s corporation tax was cut substantially and investment allowances were withdrawn. The result was a surge in investment, taking it to levels much higher than any achieved in the 1970s and early 1980s. I will, however, make sure that my right hon. Friend the Chancellor of the Exchequer hears of my hon. Friend's ideas because he will regard them as important in the run-up to the Budget, although he will want to make his own decisions on that and other matters that come before him.

Ms. Abbott: Do not current interest rate levels make it very difficult for business to invest? Should not Trade and Industry Ministers be pressing their colleagues in the Treasury to call for a realignment in the exchange rate mechanism?

Mr. Redwood: Interest rates and the level of the currency are matters for the Chancellor of the Exchequer and have been exhaustively debated in the House.

Credit

12. **Mr. Brandon-Bravo:** To the Secretary of State for Trade and Industry if he will make a statement on the Government's plans to ensure that customers are better informed about credit deals.

Mr. Leigh: The Government's plans on this matter are described in the consultative document "Proposals for New Legislation on Credit Marketing", which was published in December.

Mr. Brandon-Bravo: I acknowledge that the Government cannot play nanny, nor can they always protect people from their own folly, but there are measures that we can and should take. Will the Minister comment on some of the techniques of inertia and cold selling which offer people all sorts of things on credit, using simple forms on which one must tick a little box if one does not want them? These are techniques which many simple people do not understand and which cause them to get themselves into unnecessary difficulties.

Mr. Leigh: I agree with my hon. Friend. Although we cannot be a nanny state, I think that a successful market is a well-informed one. Inertia selling is a matter of fine judgment because many of those boxes are designed, according to the people who provide credit services, to protect the consumer through insurance schemes; but I decided to prohibit inertia selling because it is wrong that someone should be required to undertake a contract without having positively requested so to do.

Financial Services (Regulation)

13. **Mr. Buckley:** To ask the Secretary of State for Trade and Industry whether he has any plans to alter the regulatory structure for the United Kingdom financial services sector.

Mr. Redwood: My right hon. Friend recently welcomed the statement of Sir David Walker and the publication of the new core rules. One of the most important recent changes in the regulatory system is that which encourages clear core rules and the minimum number of additional rules. My right hon. Friend also praised the wish of the regulatory bodies to concentrate compliance work on pursuing those cases that give most reason to cause suspicion. He has drawn attention to the efficacy of stressing disclosure rather than prescriptive rules. I am sure that the House will agree that these are welcome improvements in our system.

Mr. Buckley: Are not the regulations full of loopholes and ambiguities which, from Barlow Clowes to the Levitt Group, have not fulfilled the necessary requirements of control? Did not the Government accept and recognise in the body of the text of the companies legislation in 1989 that some changes are needed in the regulations? Does the Minister accept that there should be two regulatory bodies and that there should be compulsory regulation rather than the present system?

Mr. Redwood: That would mean the wholesale abolition of a large number of excellent regulatory bodies. The purpose of the self-regulatory system is to allow people, within defined limits, to make their own decisions about which body they wish to join and the conduct of the regulation in those bodies. I do not agree that the regulations are out of date or in need of wholesale reform in the way that the hon. Gentleman suggests. If he wishes to draw attention to particular loopholes or difficulties in the regulations, I or the regulatory bodies should be happy to look into them carefully. It is not fair to say that Barlow

Clowes demonstrated that the current regulatory system is ineffective because that problem developed before the enactment of the Financial Services Act.

Mr. Donald Thompson: Does my hon. Friend realise that the financial sector does not lie only in the City of London? A great expansion in financial services has taken place in and around my constituency and my constituents need clear rules so that they can expand their businesses not only in the United Kingdom but in Europe.

Mr. Redwood: I agree with my hon. Friend that the financial services sector extends widely geographically, as well as in terms of its range of service and products. He has my assurance that I shall do everything in my power to further the interests of those legitimate businesses here and in the European Community.

West Yorkshire (Development)

14. **Mrs. Mahon:** To ask the Secretary of State for Trade and Industry if he intends to visit West Yorkshire during the next three months to discuss industrial and regional development.

Mr. Leigh: My right hon. Friend has no current plans to do so.

Mrs. Mahon: That is a disgraceful answer. Calderdale has lost 3,000 jobs in the past 12 months, most of them in manufacturing. We get no outside aid and one area in my constituency, Sowerby Bridge, has been particularly devastated by the Government's economic policies. We were promised help by another Department, but it pulled out at the last minute. Is not it time that the Government developed a regional policy to help towns such as mine which are suffering badly because of the Government's disastrous economic policies?

Mr. Leigh: As one might expect, the hon. Lady does not give the whole picture about what is happening in Yorkshire. Perhaps she missed last week's *Yorkshire Post*, which I have here. It says:

"Business confidence in Yorkshire, although falling, is more buoyant than anywhere else in the nation, the Confederation of British Industry claimed last night.

The 'not having it quite as bad' evidence, backed up by yesterday's small cut in interest rates, bolstered beliefs that the region might be nearing the bottom of its recession."

Unemployment in Calderdale has fallen by 5,000 in the past five years. The hon. Lady, who always strikes me as having the charm of a tricoteuse in the French revolution, should, for once, give the good news about Calderdale, which is well placed.

Mrs. Peacock: When my hon. Friend visits West Yorkshire, as well as looking at what the hon. Member for Halifax (Mrs. Mahon) mentioned, will he examine some of the successful companies that have been investing, are investing and are planning to invest in the future?

Mr. Leigh: Yes, of course. The hon. Member for Halifax (Mrs. Mahon) did not say that 20,000 new companies have set up in Yorkshire. She did not explain all the advantages that Yorkshire and Humberside have in the single market in attracting inward investment. She did not mention, in her strictures about regional policy, that in the current public expenditure survey round, we are planning to spend £600 million on regional policy.

Ms. Quin: If the Minister decides to have discussions with people in West Yorkshire or elsewhere on regional policy, will he take the opportunity of disowning the views that he gave in the No Turning Back group publication on regional policy, in which he claimed that European regional policy and the European regional development fund served no purpose? Will he make it clear to the House that the views of that group are not the views of the Department of Trade and Industry?

Mr. Leigh: There seem to be three phases in the life of a parliamentarian—angry young man, angry old man and Minister in the middle. As a Minister, I fully support Government policy.

Mr. Michael Brown: Speaking as a member of the No Turning Back group to another member of the group, may I again draw my hon. Friend's attention to the *Yorkshire Post* from which he just quoted and refer him to its business section last Thursday where the headline was:

"Yorkshire industry lifts its head above the gloom."

May I draw his attention, for the occasion when he visits Yorkshire and Humberside, to an article referring to the growth in the docks industry in the Yorkshire and Humberside region which it says is a result of the removal of the restrictive practices that characterised the industry? Will my hon. Friend tell the hon. Member for Halifax (Mrs. Mahon) that the message is that Yorkshire and Humberside benefit every time restrictive practices are lifted?

Mr. Leigh: I have to tell Opposition Members that I could hardly fail to visit Yorkshire and Humberside. I do so every Saturday when I go across the Humber bridge to do my shopping in one of the supermarkets of my hon. Friend the Minister for Trade. My hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) speaks out well for Humberside. He led the fight for the port and we congratulate him.

CBI

15. **Mr. Ron Davies:** To ask the Secretary of State for Trade and Industry when he next plans to meet representatives of the CBI to discuss the condition of industry in the United Kingdom.

16. **Mr. Knox:** To ask the Secretary of State for Trade and Industry when he next expects to meet the president of the Confederation of British Industry to discuss manufacturing industry.

The Minister for Trade (Mr. Tim Sainsbury): My right hon. Friend regularly meets representatives of the CBI. He met the director general most recently last week.

Mr. Davies: When the Secretary of State next meets the CBI, will he discuss with it the latest manufacturing output figures which, as I understand it, show that the value of manufacturing output has declined by some £5 billion and that the level of investment has decreased by 15 per cent? Will he also discuss with the CBI the GDP figures published today which show that, officially, we are in recession? If the Department can bring itself to acknowledge that we are in recession, will the Minister tell us what precisely he proposes to do to get industry out of that recession?

Mr. Sainsbury: The hon. Gentleman may agree that, as the songwriter might have put it, recession is among industry's unfavourite things. I remind him and the House of some other unfavourite things of industry: excessive trade union power, high rates of business taxation, too much Government interference and continuing high rates of inflation. Those are the things which characterise Labour Governments and make them very unfavourite among business men.

Mr. Knox: When the Secretary of State next meets the president of the CBI, will he discuss with him the fact that manufacturing output last December was 4 per cent. higher than in December 1973—a period of 17 years? Does my hon. Friend believe that that represents satisfactory progress?

Mr. Sainsbury: Manufacturing output in the 1980s grew faster than in Germany, France or Italy. I suggest to my hon. Friend that we should look at the underlying strength of manufacturing industry and at the underlying strength of British industry. The massive strides and great improvements that we made during the 1980s mean that manufacturing industry, like the whole of British industry, is a great deal stronger and more resilient as it faces the 1990s than it was in 1979.

Mr. Janner: Does the Minister share with the CBI the recognition that there is a terrible underlying weakness in many manufacturing industries, including hosiery, textiles, shoes and other staple industries in areas such as Leicester which were firm before the Government came into power, but are now in a state of absolute disaster?

Mr. Sainsbury: It is strange that the hon. and learned Gentleman seems so ready to join those of his hon. Friends who spend their time running down the performance and capabilities of British industry. Manufacturing productivity grew faster in the 1980s than in any other major industrial country. It has improved by a half since 1979 and we should applaud that.

Mr. Beaumont-Dark: Does my hon. Friend accept that one problem faced by industry and others is caused by state and private monopolies? British Rail is increasing fares way above inflation; British Telecom, British Gas and the water companies are all raising their prices; and now the electricity industry has announced that it will increase charges by 13 per cent. Why should all those concerned be able to protect themselves against last year's losses when they help to encourage the losses of private industry, which has no monopolies on which to fall back?

Mr. Sainsbury: As the House knows, my hon. Friend is a robust supporter of competition. That is what Conservative Members believe in, although I have serious doubts whether the Opposition do.

I shall not go into detail about all the industries that my hon. Friend mentioned, but we like to introduce competition and we ensure that regulatory control is introduced where it is absent. Such control usually ensures that the increases allowed are substantially lower than the level of inflation.

Mr. Gordon Brown: Are not manufacturing investment, manufacturing output and manufacturing employment now falling? Today's figures confirm a 6 per cent. drop in manufacturing output which is unique in western Europe. As the Minister cannot blame OPEC, the Gulf conflict, the EC, workers or management for the recession, whom does he blame? Is not this a direct result of the mistaken policies of discredited Ministers in a failed Government?

Mr. Sainsbury: I congratulate the hon. Gentleman on getting his facts right. It makes a change. Yesterday, for instance, when he alleged that manufacturing output had increased by only 7 per cent. since 1979, he was only 70 per cent. wrong; the increase was 12 per cent. He is improving.

Steel Industry

17. **Mr. Bill Walker:** To ask the Secretary of State for Trade and Industry if he will make a statement on the profitability of the British steel industry.

Mr. Lilley: I have every confidence in the long-term prosperity of the British steel industry now that all of it is in the private sector and free from Government control.

Mr. Walker: I thank my right hon. Friend for that reply. Does he agree that the latest figures, which reveal that steel exports are increasing by about 9·5 per cent. and that imports are down by about 6·3 per cent., show clearly that the British steel industry—now privatised—is a guarantee of security in a difficult and troubled world? The failed policies of the Soviet Union and the rest of eastern Europe and those of the socialists on the Opposition Benches would guarantee the destruction of the industry and caused massive costs to the taxpayer in the past.

Mr. Lilley: My hon. Friend is absolutely right. When the previous Labour Government left office British Steel was losing about £1·7 billion a year; now it is making a profit of £700 million a year. If the company were still making a loss under state ownership, we should be bearing those losses: billions of pounds would have to be spent on it instead of on hospitals, schools and other services which we all want and need and which the Government should be financing.

Dr. Bray: Is the Secretary of State aware that British Steel is suffering a severe recession in orders as a result of the Government's incompetent economic policies? Is he aware that it is able to survive financially only because the Government wrote off all its debt on privatisation, thus leaving it free of debt at a time when its competitors in Europe are in very different financial circumstances?

Mr. Lilley: As my hon. Friend the Member for Tayside, North (Mr. Walker) pointed out, British Steel is boosting its exports in response to weaker home demand and is also displacing imports. That must be good news. Is the hon. Gentleman saying that we should take it back into state ownership? If so, is that the policy of the Labour party?

Mr. Oppenheim: Is my right hon. Friend aware that, at the end of the era in which politicians meddled and told it which plant it should keep open, British Steel was the world's biggest loss-maker and Britain had a chronic trade deficit in steel and iron products? Since then, British Steel has become the most profitable steel company in Europe and our trade deficit in those products has changed into a substantial surplus. The last thing that British Steel wants is to go back to the bad old days when politicians told it how to run its business.

Mr. Lilley: My hon. Friend is absolutely right and he makes his point extremely well. What is more, if we had a

state-owned, inefficient steel industry we should have to prop it up with protection and all steel-using industries would be forced to buy high-cost, inefficiently produced steel. That is very much what the Labour party seems to want.

Mr. Gordon Brown: Will the Secretary of State reply to two factual points? First, can he confirm that, in respect of the Ravenscraig strip mill, the Government's policy, as set out by the Secretary of State for Scotland, is that British Steel should review and reconsider its decision with a view to reversing it? Secondly, can he, as the Minister responsible for these matters, tell us what practical steps he has taken to implement that policy?

Mr. Lilley: I am always happy to put the hon. Member right on the facts. I entirely endorse the steps taken by my right hon. Friend the Secretary of State for Scotland.

Mr. Favell: My right hon. Friend is to be congratulated on setting his face firmly against protectionism. Britain's steel industry—indeed, all British industry—grew at a time when we believed in world free trade in not only manufactured goods but agricultural goods. May we have an assurance that my right hon. Friend will not allow the idiotic common agricultural policy to ruin the GATT talks?

Mr. Lilley: My hon. Friend is a great and forceful defender of free trade and I entirely endorse his remarks. We must try to ensure a speedy and successful conclusion to the GATT round. I welcome the news that talks are likely to resume today. We shall do everything in our power to ensure that the Community plays a constructive role on agriculture, as on all other matters, with a view to securing a successful outcome to the round.

Chemical and Nuclear Weapons

18. **Mr. Flynn:** To ask the Secretary of State for Trade and Industry what new initiatives he plans in the export of materials that can be used in the manufacture of chemical, biological and nuclear weapons.

Mr. Sainsbury: We continue to work with like-minded countries to take effective action to prevent the proliferation of chemical, biological and nuclear weapons. Controls on the export of sensitive materials for use for these purposes are kept under continual review.

Mr. Flynn: Has it occurred to the Minister that if the Gulf war had taken place a year hence, Saddam Hussein's Scud missiles might have been armed with Iraqi nuclear warheads? Is not it a scandal that British companies exported to Saddam Hussein specialist equipment that he has used in his nuclear programme? Those companies include Avesta of Birmingham, Consave of Glasgow, Magnatech of Crawley, Matric Churchill of Coventry and Swift Lewick of Rotherham. Will the Minister give us an assurance that when the nightmare of the Gulf war is over, Britain will lead the world in reducing the international arms trade, not just by exhortation but by example?

Mr. Sainsbury: The whole House will share the hon. Gentleman's worry that materials that might facilitate the production of nuclear weapons should be exported. The hon. Gentleman will be aware, not least because he tables a very large number of questions on the subject, that the Government's policy is to prevent the proliferation of such weapons. We maintain stringent controls on the export of all weapons and related material, equipment and technology.

Mr. Rhodes James: Is my hon. Friend aware that the Scud missiles are, in fact, Russian?

Mr. Sainsbury: My hon. Friend is right.

Retail Bankruptcies

20. **Mr. McMaster:** To ask the Secretary of State for Trade and Industry what protection his Department is making available to consumers who suffer loss because of retail bankruptcies during the recession.

Mr. Leigh: Where goods are purchased under a credit agreement, the Consumer Credit Act 1974 provides that the credit grantor is jointly and severally liable with the retailer for breach of contract. This provision applies where the cash price of goods is between £100 and £30,000, with up to £15,000 paid for on credit. I am not aware of any need for further provisions.

Mr. McMaster: Does not the Minister recognise that unemployment is shooting up and that businesses the length and breadth of the country are closing? Will he offer some form of protection, or at least some hope, to consumers who are suffering; or will those people have to wait for a Labour Government?

Mr. Leigh: I am not sure whether it is Labour party policy to disagree with the Director General of Fair Trading who said—the hon. Gentleman may not be aware of this—that voluntary initiatives for industry were the right way forward.

The Gulf (Exports)

21. **Mr. Jacques Arnold:** To ask the Secretary of State for Trade and Industry if he will make a statement on the prospects for British exports to Kuwait and other Gulf states following the conclusion of the present hostilities.

Mr. Sainsbury: When Kuwait is liberated United Kingdom companies can resume supplying a wide range of goods and services. In recent talks with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, the Kuwait Government have promised a warm welcome to United Kingdom companies participating in the reconstruction of Kuwait.

I assure my hon. Friend that the British Government will continue to do all they can to encourage and reinforce the efforts of our manufacturing and service industries.

Mr. Arnold: Given the considerable and supreme efforts that Britain has made towards the liberation of Kuwait, is my hon. Friend confident that British industry will show itself to be effective in grasping the opportunities that will arise?

Mr. Sainsbury: My hon. Friend will be aware that British industry has been taking energetic action to that end, supported fully by my Department. An industry task force is in place in Dammam and it will be seeing representatives of the Kuwaiti reconstruction project office tomorrow for further discussions on the part that British industry can play in the reconstruction of Kuwait.

Transport Disruption (London)

3.30 pm

Mr. John Prescott (Kingston upon Hull, East) *(by private notice)*: To ask the Secretary of State for Transport if he will make a statement on the transport problems in London today and yesterday.

The Secretary of State for Transport (Mr. Malcolm Rifkind): London Underground was subject to significant disruption yesterday. The major disruption to services was on the Central line. Trains had been held up while suspect packages at Bond Street and Liverpool Street stations were being examined by the police.

At one stage, it became necessary for the London fire brigade to be called as a result of a smoke incident on one of these trains. It was considered necessary for the electric current to be disconnected and the passengers to be evacuated. This took some considerable time and I pay tribute to the passengers, the railway staff, and all others concerned in the evacuation. London Underground has initiated an inquiry into all the circumstances concerning that incident.

With regard to British Rail, since the bombs at Paddington and Victoria on Monday, British Rail has been subject to a large number of incidents involving bomb threats and suspect packages. Since Monday morning, the British Transport police have dealt with about 85 hoax bomb threats, of which around 45 have been in London. In addition, the British Transport police have dealt with 55 suspect packages, of which 35 have been in London.

As a result, British Rail, acting on the advice of the police, has closed a number of stations in London and elsewhere. British Rail has well established contingency plans for clearing stations, which British Rail staff activate on advice from the police, who then undertake searches and deal with any suspect packages.

The worst disruption yesterday was at Reading, where the station was closed for about three hours following bomb threats and the discovery of a suspect package. In London, Charing Cross and Fenchurch Street were each closed for an hour and a half in total, and Liverpool Street was closed for half an hour in the evening peak. Today, part of Victoria was closed for an hour and a quarter; Euston was closed for an hour and a half; and Paddington was closed for two hours.

I am sure that the House will want to join me in delivering two important messages. The first is to ordinary members of the travelling public. Their continuing vigilance is absolutely vital. No matter how much disruption may result from a false alarm—for example, a suspect package that turns out to be wholly innocent—it is better to endure that disruption than to take the risk of a successful terrorist attack. The second is a message to the hoaxers. Those who make such hoax calls are acting in a criminal fashion, they are risking innocent people's lives and they will be liable to receive very severe punishment if they are identified and prosecuted.

Mr. Prescott: The House will thank the Secretary of State for his statement. We wish to identify ourselves with his congratulations on the superb activities of our emergency services once again. We want to add our admiration for the fortitude of the passengers faced with those difficulties over the past two or three days.

Does the Secretary of State accept that the difficulties of the past few days are not due entirely to the dastardly act of the IRA or the criminal acts of hoaxers which have plagued our security system and which need to be condemned strongly by everyone? Is it not time that he recognised that the failure of the transport system in the past two days can be traced back to inadequate equipment, the failure of new and old equipment and the lack of staff, whose numbers have been cut by thousands, and failure to maintain security and deal with emergencies? Despite that, those cuts are to continue, at the Government's request.

Does the Secretary of State accept that there are inadequate financial resources for London Underground and British Rail, as pointed out by inquiry report after inquiry report, by Select Committee reports on the London underground system and by the chairman of British Rail this weekend, who made clear the inadequacy of financial resources for our transport system?

Will the Secretary of State review the financial framework for British Rail and the underground system, end his obsession with privatisation and end the miserable experiment of attempting to run the capital's transport system without subsidies, which is not achieved anywhere in the world? Londoners are entitled to a good transport system. The fact that they do not have one is directly due to the policy of this Government.

Mr. Rifkind: I suppose it was predictable, but I must confess that I am rather saddened that the hon. Gentleman should seek to use the events of the past couple of days, which were primarily caused by terrorist incidents, bomb hoaxers and other matters affecting security, to make his ritual comments on investment in British Rail. He was quoted in the press a couple of days ago as saying that the number of British Transport police had been reduced. I informed him yesterday that, yet again, he had got his facts wrong. In 1982, British Rail employed 1,456 transport police; in 1991, it employs 1,638. In 1982, London Underground employed 284 transport police; in 1991, it employs 389. If the hon. Gentleman wants to make remarks about security, I shall be happy to listen to him very carefully, but he should not try to use the distress of the past 48 hours to make rather sad and pathetic representations on other matters.

Sir Geoffrey Finsberg (Hampstead and Highgate): Will my right hon. and learned Friend accept that what he has just said will be echoed by genuine Londoners, who will have been sickened by the cheap political claptrap of the Opposition? Will he take it from me that the London commuter will not be scared off his job by the thugs of the IRA or by the hypocrisy of the Labour party?

Mr. Rifkind: It is the characteristic of the British public that real or possible terrorist threats simply stiffen their resolve to meet those challenges in a forthright and solemn fashion.

Mr. Simon Hughes (Southwark and Bermondsey): I join the Secretary of State in condemning the terrorist and the hoaxer, who have added enormously to the disruption of the past couple of days.

Mr. Dennis Skinner (Bolsover): The hon. Gentleman is backing every horse in the race.

Mr. Hughes: If the hon. Gentleman would listen for a change, it might be respectful and be appreciated by the public.

Does the Secretary of State appreciate that, if the chaos and confusion of the past couple of days, which is suffered by the London commuter day in day out, is to be alleviated, the Government must show commitment and co-ordination? Unless the Government give a commitment to funding and there is co-ordination of information so that people know when to travel, and so that buses, trains and the tube work together, there will always be confusion in the capital, and the country will suffer as a result.

Mr. Rifkind: Of course I respect what the hon. Gentleman says about the need for proper investment in the London underground. The problems yesterday were on the Central line. The hon. Gentleman might like to know that the refurbishment of the Central line is the single most important priority of London Underground and that it is undertaking a £700 million programme of refurbishment.

Mr. Robert Adley (Christchurch): My right hon. and learned Friend knows that no one is keener than me to have more investment in the railways. Does he accept that tens of thousands of ordinary families feel that the inability of the hon. Member for Kingston upon Hull, East (Mr. Prescott) to control his natural antipathy towards the police is sickening? Is my right hon. and learned Friend aware that many people feel that the hon. Gentleman's constant criticism of British Transport police and the Metropolitan police gives comfort only to the IRA and to the morons who make hoax telephone calls? Does my right hon. and learned Friend accept that Conservative and most decent Labour Members reject everything that the hon. Gentleman says on this issue?

Mr. Rifkind: My hon. Friend is correct to say that the British Transport police do a superb job in difficult circumstances. They deserve the full support of the House.

Mr. Peter Shore (Bethnal Green and Stepney): "Significant disruption" is one of those classic British understatements to describe the experience that many thousands of people had to endure yesterday in the tunnels between Bethnal Green and Liverpool Street. They were faced with darkness and heat for up to six hours. Will the right hon. and learned Gentleman pay particular attention to an additional feature on the Central line? Yesterday, and again this morning, smoke came from, I believe, the engine of a stationary train—I am not sure of the cause. Clearly smoke was a great additional hazard. I cannot believe that that smoke was caused by anything other than the state of the railway.

Mr. Rifkind: The right hon. Gentleman makes a reasonable point. Clearly the cause of the smoke needs to be investigated. London Underground is investigating. Such incidents are not peculair to London Underground or to the United Kingdom. When they occur, they must be investigated and proper corrective action taken.

Mr. Steve Norris (Epping Forest): On behalf of the thousands of my constituents who use the Central line every day, many of whom were trapped for several hours yesterday, I should like to thank my right hon. and learned Friend for his statement which, apart from anything else, shows how appalling it is that, in this day and age, dozens of hoaxes are occurring and parcels are left around to disrupt the lives of those who want to go about their lawful business and get to work. We at least very much welcome the investment of more than £600 million, which will produce rolling stock, trains and signal equipment that should be able to reduce the occasional emergencies caused by suspected fires.

I should like to put one point that is clearly important. In the wake of the King's Cross fire, it is understandable that railway authorities should act with caution on every occasion. Yesterday's events were by no means unique —they are a common occurrence on the line. Hardly a day goes by without massive disruption caused by suspected fires. Will my right hon. and learned Friend talk urgently to the management of London Underground to ensure that the procedures are followed to detect and identify callers and to follow up suspected hoaxes so as to reduce disruption to a minimum?

Mr. Rifkind: My hon. Friend makes some fair observations. Part of yesterday's difficulty was that, because of the presence of suspicious objects, trains were stopped and, when the electricity was disconnected, a significant number of trains were on the line. The number of people who had to be evacuated from the trains was significantly greater than is normal in such incidents. However, I take the points that my hon. Friend rightly made.

Miss Kate Hoey (Vauxhall): I too wish to express my gratitude to commuters for their fortitude. The people of Northern Ireland have become used to such disruptions over the years. Given the extra safety precautions and the extra cost that that will impose on British Rail and London Underground, have the Government any plans to increase the money available, or will money have to come from the hard-pressed commuters through their fares?

Mr. Rifkind: In the first instance, obviously we shall hope to hear from British Rail and London Underground what conclusions they draw about any improved security measures arising out of recent events. Of course we shall look sympathetically at any reasonable proposals involving new security-related expenditure.

Sir Philip Goodhart (Beckenham): As terrorists invariably want to cause the maximum disruption at the least risk to themselves, does my right hon. and learned Friend realise that the closing down of London's railway system on Monday represented the biggest victory for terrorism in the past 10 years? As it is inevitable that there will be further hoax calls—and, possibly, further bombs —will my right hon. and learned Friend consider calling on Army units to provide guards at London's mainline terminals until the bombers are caught? From time to time, the Army provides extra guards at Heathrow. Surely our rail commuters deserve as much protection as air passengers.

Mr. Rifkind: On the appropriate level of security that might be required, I should wish, of course, to take the advice of the chief constable of the British Transport police. I shall obviously draw my hon. Friend's remarks to his attention. In matters of this kind, clearly the views of the police on their ability to cope with what is required will carry considerable weight.

Mr. Ron Leighton (Newham, North-East): Does the Secretary of State appreciate the full horror for my constituents who were incarcerated underground in heat and smoke on crowded trains for hours yesterday? Will he take it from me—someone who was brought up in a London Transport railway family—that London Transport was once the envy of the world? It is now dirty, squalid, unsafe, unreliable, and more fitting to a third-world country, because of lack of investment. The people who run London Transport are crazed ideological fanatics who want to eliminate all public subsidy. Does the Secretary of State appreciate that, if London Transport were run by elected Londoners who were accountable to the people of London, the situation would be transformed? When will he give the control of London Transport back to the people of London?

Mr. Rifkind: The hon. Gentleman is, of course, entitled to his view on that matter, but I do not believe that the quality of service provided by London Underground would be enhanced by his proposal. I suspect that even an elected authority of the kind that the hon. Gentleman suggests would still look to central Government for the funds that might be required.

Mr. Ian Taylor (Esher): My right hon. and learned Friend should know that the disruption caused by the closing of stations because of awful terrorist bombs and also hoax scares is understood by my constituents. What they find more difficult to understand is that, despite the investment of £1 million a day by Network SouthEast at the moment, British Rail still cannot do the simple things right. It still cannot communicate with travellers when they are stranded. It still cannot make adequate arrangements at other stations so that passengers who have to get out short of mainline stations are properly looked after.

Does not that confirm that, when mainline stations are shut down, there is inadequate co-ordination between various levels of transport in London so that my constituents and those of other hon. Members can be looked after in places such as Clapham Junction, and make a smooth and easy transfer between mainline railways, buses and underground trains? We must look urgently at that matter because, sadly, those crazy and awful events may continue.

Mr. Rifkind: When I last met the chairman of British Rail, I discussed with him the need to ensure full and proper information for passengers who might be stranded or otherwise experience difficulties as a result of disruption. He assured me that British Rail will be giving considerable attention to the need to improve the present unsatisfactory levels of information that are provided to its passengers when problems occur.

Ms. Mildred Gordon (Bow and Poplar): I believe that it is established that the incident yesterday between Bethnal Green and Liverpool Street was nothing to do with IRA activity or with hoaxers. I believe that the Central line still has guards on its trains, although, sadly, other lines have not. I hope that they will remain. There are such things as pagers and other modern equipment. It should not have been difficult for people to be informed about what had happened so that they were not so panic-stricken. I cannot understand why they were left in the dark for six hours, so that asthmatics became ill and old people fainted. The explanation that we have been given today is not sufficient. I ask the Secretary of State please to hold a thorough investigation, to report back to the House about why that unbelievable incident took place, and to ensure that it does not happen again.

Mr. Rifkind: I assure the hon. Lady that there will be a full investigation of the incident. Although there was no actual terrorist threat yesterday, the causes of the problem originated with the finding of two suspicious objects, which had been left on the train, but which clearly could have contained explosive devices. I am sure that the hon. Lady would be the first to agree that it is right to be careful on such occasions because, until such objects are examined properly and competently, it would be irresponsible to expose the travelling public to them.

The hon. Lady is right to express concern at the number of hours that people spent in the underground. That flowed from the decision to evacuate the train once the electricity current had been disconnected. As many passengers had to be taken more than a mile to the nearest station, considerable problems inevitably arose, as well as fatigue for the older passengers who were affected.

Mr. Harry Greenway (Ealing, North): Will my right hon. and learned Friend take note of the many constituents who have complained to me about being incarcerated in such great discomfort that, as my right hon. and learned Friend has stated, some of them became ill? Furthermore, there was no communication about what was going on, why they were being kept where they were or how long the situation was likely to continue. Will my right hon. and learned Friend press London Underground to do something about its communications with its passengers in that sort of situation and in others?

Mr. Rifkind: Yes. I attach the same importance as my hon. Friend clearly does to the provision of quick, accurate and reliable information to passengers of either the Underground or British Rail whenever disruption occurs. That should be done, and there is no fundamental reason why it cannot be done at present. There is, therefore, an urgent need for both British Rail and London Underground to address that matter.

Mr. Ken Livingstone (Brent, East): While I welcome the condemnation of those acts, and associate myself with the remarks of my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), will the Secretary of State tell us why it was not possible simply to shunt the trains forward or backwards to the nearest station, instead of leaving people incarcerated for up to six hours? Does he accept that, although the management of London Transport and the transport police have a lot of experience at catching pickpockets or pursuing fare evaders, they do not have day-to-day experience of coping with terrorism and deciding what is or is not a bogus warning? Might it not be worthwhile to bring people over from Belfast, such as officers who have that day-to-day experience, who can give much better advice about how such problems can be managed?

Mr. Rifkind: On the hon. Gentleman's earlier question, once the decision had been taken to disconnect the electricity on safety grounds, for obvious reasons it became impossible to contemplate shunting the trains to any particular point. On the hon. Gentleman's latter

questions, it is for the police in London to consider whether they could benefit from external advice of the kind that the hon. Gentleman has suggested.

Several Hon. Members *rose*——

Mr. Speaker: Order. The House knows that I have to protect subsequent business, but in view of the importance of this matter to hon. Members, I shall take three more questions from each side, but I am afraid that then we must move on.

Mr. John Marshall (Hendon, South): May I first associate my constituency and myself with my right hon. and learned Friend's remarks about the evils of the IRA and the irresponsibility of the hoaxers? How does the level of capital expenditure by London Transport today compare with the level that prevailed in 1985-86, when it was controlled by the hon. Member for Brent, East (Mr. Livingstone)? Does my right hon. and learned Friend accept that many hon. Members believe that London's transport problems would be eased if London's buses were deregulated, as has happened elsewhere in the country?

Mr. Rifkind: Expenditure on London Underground in the next three years will be approximately 100 per cent. higher than in the past three years. That compares very favourably indeed with the legacy of the hon. Member for Brent, East (Mr. Livingstone).

Mr. Nigel Spearing (Newham, South): Does the Secretary of State agree that the unacceptable hazards experienced by Central line passengers yesterday would have been increased if London Transport had initiated driver-only operation on that line, with the support of Her Majesty's Government? Will he assure us that the investigation which he mentioned in response to my hon. Friend the Member for Bow and Poplar (Ms. Gordon) will be an inspection by the railway inspectorate, and that the report will be published?

Mr. Rifkind: At this stage, London Underground is carrying out its own internal inquiry. I have yet to determine whether any further inquiry will be necessary. In response to the earlier part of the hon. Gentleman's question, it is clearly for London Underground as the operator to determine whether it is acceptable and safe to have driver-only trains, or whether some other mode is more appropriate.

Mr. David Evans (Welwyn Hatfield): Is my right hon. and learned Friend the Secretary of State aware that thousands of my constituents were inconvenienced during the past two or three weeks, but that they have also been inconvenienced during the past two or three years? Every time there is a snowfall, it is the wrong snow. Then we have terrorist attacks. Then we have hoaxes. Is my right hon. and learned Friend aware that my constituents are simply not prepared to put up with it any longer? Is not it time that the managements of British Rail and London Underground were sacked? The employees of London Underground are hard-working but the management should be sacked, just as the hon. Member for Kingston upon Hull, East (Mr. Prescott) should be sacked from his job.

Mr. Rifkind: My hon. Friend will forgive me if I do not comment on the last suggestion which he helpfully made. In response to the earlier part of his question, I sympathise very much with the frustration of his constituents. The chairmen of both British Rail and London Underground took office in the relatively recent past. They must be given the opportunity to carry out very necessary reforms to ensure that we achieve the level and quality of management on both British Rail and London Underground which my hon. Friend's constituents are entitled to expect.

Mr. Harry Cohen (Leyton): The ultimate management, of course, are the Government. They are the ones who should be sacked. Many of my constituents who were caught for long hours in conditions of intolerable stress probably thought that they were in Baghdad. Will the Secretary of State give an assurance that he will examine the issue of trains being stopped between stations? Associated with that, will he pick up the shameful cuts in cleaning staff and station staff? If we had had more of those, the stations would have been cleared and checked earlier, and the trains could have been driven through to them. .

Mr. Rifkind: The hon. Gentleman's observations are somewhat confused. The problems yesterday were caused by the discovery of suspicious objects on the trains. Inevitably, that had to be dealt with in a proper and responsible fashion. That is the background which the hon. Gentleman should appreciate.

Mr. Patrick Cormack (Staffordshire, South): Bearing in mind the fact that these despicable hoaxers are in fact, if not in intention, the terrorists' best friends, will my right hon. and learned Friend examine the penalties available to the courts to deal with hoaxers when they are found out?

Mr. Rifkind: As my hon. Friend will appreciate, that is primarily a matter for my right hon. Friend the Home Secretary, but clearly hoaxers should realise that their behaviour could sometimes lead to the most serious consequences and in certain circumstances to loss of life. In that event, they would face serious penalties if they were convicted by the courts.

Mr. Tony Banks (Newham, North-West): The Secretary of State would not be so complacent about the chaos on London Transport if he were a regular user of it. Many tens of thousands of Londoners know just how miserable the Central line is on a daily basis. British Rail and London Transport cannot be blamed for the criminal activities of the IRA or, indeed, the sick perverts who make hoax telephone calls. But the trouble on the Central line yesterday and today was caused largely by the clapped-out rolling stock which is used on the Central line. The smoke came from overheated brakes. The reason why they were overheating was that the trains were overcrowded and could not carry the passengers through.

The Secretary of State referred to a £700 million uprating of the Central line. We have been hearing about that for three years. How much of that £700 million has already been spent on the Central line? To echo what my hon. Friend the Member for Bow and Poplar (Ms. Gordon) said, how come British Transport police and the underground staff—never mind the passengers—do not know what is going on? How come, when a satellite can spot a wart on the end of someone's nose, we cannot communicate properly through telephones and pagers so that London Transport staff can explain to passengers what is happening?

Mr. Rifkind: I have some sympathy with the latter part of the hon. Gentleman's observations. British Rail and London Underground must make a radical reassessment of their information systems, because it is not unreasonable to assume, as the hon. Gentleman does, that, in this modern age, that kind of information should be able to be communicated easily and reliably to passengers who are suffering disruption and problems.

There is indeed a £700 million programme under way now, coaches are already being refurbished and line is being modernised. The hon. Gentleman should welcome that instead of carping about it.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 8 MARCH

Members successful in the ballot were:

Mr. Dudley Fishburn
Sir Peter Emery
Sir Bernard Braine

STATUTORY INSTRUMENTS, &c

Ordered,

That the draft Public Lending Right (Increase of Limit) Order 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Greg Knight.]*

National Audit (Scotland)

4.1 pm

Mr. William McKelvey (Kilmarnock and Loudoun): I beg to move,

That leave be given to bring in a Bill to amend the National Audit Act 1983 to give the National Audit Office additional duties in respect of public expenditure in Scotland, including the provision of assistance to the Select Committee on Scottish Affairs of the House of Commons; and for connected purposes.

I am glad to have the opportunity to introduce this Bill, which will be effective providing, of course, that it has safe passage through the House. It concerns an issue of particular importance to those of us who represent Scotland.

Some people may wonder why I am seeking to find additional assistance for a Select Committee which, disgracefully, has still not been set up. The failure to establish that Select Committee means that we are daily in breach of the Standing Orders here in the mother of all Parliaments. That is scandalous.

I must record that the Leader of the House has been negligent in his duty, and since he is a fellow Scot that negligence is even more hurtful. The people of Scotland will not forget his negation of duty, but I hope that the Bill will help the right hon. Gentleman to overcome some of the problems he has experienced in trying to set up a genuine and proper Select Committee on Scottish Affairs.

In the past four years, we have had no opportunity to examine affairs in Scotland. We need the added assistance of that Select Committee, because some 3,000 civil servants are scampering around Scotland doing heavens knows what, apparently answerable to no one. There is a backlog of issues that we should have been discussing and which we must discuss once the Select Committee has begun its work.

If that Select Committee had existed, it would have investigated the socio-economic effect of the loss of jobs that Scotland has sustained in the past four years. The most outstanding example of that would be the shambles created in the steel industry by the attitude of Bob Scholey, the chairman of British Steel, and the team who work for him. The Select Committee would have investigated Ravenscraig, Clydesdale, Dalzell and the role of British Steel in the demise of the Scottish steel industry. That industry has almost disappeared from Scotland—which seems to be British Steel's intention.

The Select Committee would also have been forced to investigate the decline of the mining industry. In my constituency, in Ayrshire, there are no deep pit miners left. There are large pockets of unemployment in Cumnock, in the constituency of my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), where the male unemployment rate is about 52 per cent. That in itself would have warranted some investigation to find out what could be done to replace the jobs that had been lost.

The only inquiry in the mining industry involved the reopening of Monkton Hall colliery to produce green coal —low-sulphur coal—and was commissioned by the Scottish National Union of Mineworkers, with the aid of local authorities in the district. Those authorities have had to incur expenditure that should have been borne by central Government on behalf of Scotland.

We have witnessed the demise of fishing and agriculture. The farmers recently conducted a magnificent

lobby of Parliament and were able to persuade hon. Members that farming, particularly the hill farms in Scotland, was in serious decline and something had to be done urgently to stop the continuing crisis and numerous closures.

As a Select Committee, we would have had a heyday discussing the funding of local government, because during the Government's term of office the revenue support grant has been slashed, capital allocations have been squeezed and the housing support grant has virtually disappeared up the loch.

A Select Committee on Scottish Affairs would have been the appropriate forum to consider closely the subject of the poll tax, which the House discussed yesterday. In Scotland, we were forced to endure the poll tax and were used as guinea pigs to test the tax one year before it was introduced in the rest of the United Kingdom. The unbiased report of a Select Committee would certainly have made the unanimous decision that the poll tax, which was unwanted, unwarranted and uncared for, should be disposed of in Scotland.

The House would not have wasted its time discussing the matter, because it would not have been put into operation in Scotland. The Select Committee could not and would not come to any decision except that the present Secretary of State for the Environment seeks to amend the unamendable and is tinkering with something that should not be tinkered with. Some £558 million poll tax dues are still to be collected in Scotland, which shows that the situation is not only appalling, but cannot be allowed to continue.

Five years ago, the Select Committee on Scottish Affairs went to Glasgow to examine housing, paying particular attention to dampness in housing. All the members of that Committee, including its illustrious Chairman, my hon. Friend the Member for Cunninghame, South (Mr. Lambie), were appalled at the living conditions of the people we visited. The dampness in their homes made clear to all Committee members the appalling life led by those people. Their existence was overshadowed by the awful smell produced by the dampness.

Council officials had told them that it had something to do with the residents' life style, but it was due to a combination of badly designed houses and the fact that the people were so poverty-stricken that they could not afford appropriate heating. To this day, some of those people are still languishing in those appalling conditions. The Select Committee suggested that £50 million to £100 million would have been needed to begin to sort out the problem in Glasgow alone, and the then Minister was quick to jump in with an offer of £3 million.

The Government were unwilling or unable to put names forward for a Select Committee on Scottish Affairs and the Opposition were not slow to set up their own alternative Select Committee. Its members were the hon. Members for Moray (Mrs. Ewing) and for Argyll and Bute (Mrs. Michie) and my hon. Friends the Members for Glasgow, Hillhead (Mr. Galloway), and for Dundee, East (Mr. McAllion). We discussed the financing and delivery of the Scottish health service.

We produced a report, at the expense of the Labour party, and a very good report it was. But we discovered, first, that we could not subpoena Ministers or witnesses; because of that, many of them were reluctant to give evidence, and none of them would give evidence on the record. We therefore had to rely mainly on people who worked in the health services to supply us with evidence. Secondly, we attempted to enlist financial support from the House of Commons, but Mr. Speaker advised us that that would be out of order—so we had to find the funds ourselves.

The report cost us more than £3,000. We sold more than 300 copies of it, which must be a record for a Select Committee report on Scotland. However, like thousands of businesses throughout the land, and especially in Scotland, we nevertheless found that we had a cash flow problem. Being skint, we had to go into a state of suspended animation and wait to see whether we could find funds to get the Committee going.

As a defender of Back Benchers and democracy, Mr. Speaker must, I know, be unhappy about this matter. In this Parliament, in the country that is supposed to be the mother of all Parliaments, the epitome of democracy, we stand here day after day in breach of our own Standing Orders. Somehow, that must be put right. I suggest that we place in the hands of Mr. Speaker the power to nominate a Select Committee and put it into operation if the Leader of the House neglects his duty to do so. That there should be no Select Committee on Scottish Affairs is a disgraceful slur on the democratic structures of this House, and an affront to the people of Scotland.

It gives me great pleasure to move this motion. I hope that the Bill will be given safe passage through to the statute book.

Question put and agreed to.

Bill ordered to be brought in by Mr. William McKelvey, Mr. Don Dixon, Mr. Jimmy Dunnachie, Mr. Martin Redmond, Mr. Ernie Ross, Mr. John McAllion, Mr. Jimmy Wray, Mr. David Lambie, Mr. Harry Ewing, Mr. Dennis Canavan, Mrs. Irene Adams and Mr. John McFall.

National Audit (Scotland)

Mr. William McKelvey accordingly presented a Bill to amend the National Audit Act 1983 to give the National Audit Office additional duties in respect of public expenditure in Scotland, including the provision of assistance to the Select Committee on Scottish Affairs of the House of Commons; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 22 March and to be printed. [Bill 90.]

Orders of the Day

Criminal Justice Bill

As amended (in the Standing Committee), considered.

New Clause 9

SEXUAL OFFENDERS

'.—(1) Where, in the case of a long-term or short-term prisoner—

(a) the whole or any part of his sentence was imposed for a sexual offence; and

(b) the court by which he was sentenced for that offence, having had regard to the matters mentioned in section 26(6)(a) and (b) above, directed that this section should apply,

sections 27(3) and 30(1) above shall each have effect as if for the reference to three-quarters of his sentence there were substituted a reference to the whole of that sentence.

(2) In this section "sexual offence" has the same meaning as in Part I of this Act.'.—*[Mr. John Patten.]*

Brought up, and read the First time.

4.13 pm

The Minister of State, Home Office (Mr. John Patten): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this, it will be convenient to discuss also Government amendment No. 25.

Mr. Patten: These amendments will enable the courts to require many sexual offenders to undergo longer and more intensive programmes of supervision. The purpose is to increase the confidence of the courts—that is very important—and of the public in the arrangements for dealing with sexual offenders, to protect the public from the risk of serious harm from sexual offenders, and to try to help sex offenders to reduce the risk of their committing further sexual offences in future.

New clause 9 provides for sex offenders sentenced to custody for 12 months or more to undergo an extended period of supervision on release from prison. I hope that the House will welcome that. Under the Bill, all offenders serving sentences of more than 12 months will be supervised in the community until they have completed three quarters of their sentences. New clause 9 will allow the supervision to continue right up to the end of the sentence, if the court considers that it will be helpful in preventing further offending and—this, too, is very important—in protecting the public as well as rehabilitating the offender. It will be for the sentencer to indicate in passing sentence that the offender was one to whom the extended supervision requirements would apply. The court would have to have regard to the criteria set out in clause 26(6), the need to protect the public from serious harm, which I believe to be of overwhelming importance, and the desirability of preventing offenders from reoffending.

The most dangerous sex offenders rightly receive custodial sentences, and the courts are awarding longer and longer custodial sentences, particularly following the important guideline judgment of the Lord Chief Justice in the Court of Appeal in the case of Billam in 1985 about rape. Quite a number of sex offenders, however—this may surprise but, I hope, not alarm some of my right hon. and hon. Friends and right hon. and hon. Members on the Opposition Benches—are not sentenced to custodial punishment but are given probation orders and other punishments in the community. It is the Government's belief that some of these people—about 1,000 per year are sentenced in this way—would also benefit from extra supervision.

Accordingly, amendment No. 25 inserts an additional requirement into part II of schedule 1 of the Bill. It provides that where a sex offender is placed on probation and the court wishes to include additional requirements directed at his sexual offending—it is almost always "his" rather than "her"—the normal maximum of 60 days, which applies to requirements for attendance at a probation centre or participation in specified activities under paragraphs 2 and 3 of part II, can be extended as directed by the court.

This will give the sex offender the chance to have much more practical work done with him by the probation service and by the voluntary organisations who help the probation service. I pay tribute to what they do in trying to persuade sex offenders not to reoffend, to minimise the risk to the public and to women and children in particular. In both cases, the programme of supervision could be more intensive than with offenders whose activities do not pose a risk to the public.

Depending on the individual case, the programme might consist of more frequent and lengthy contact with the probation officer or direction to a special programme in an effort to make the offender face up to his criminal behaviour in this most difficult area of trying to stop sex offenders reoffending, to consider the consequences of his behaviour and to accept responsibility for his actions.

I have been told time and again—the hon. Members for Huddersfield (Mr. Sheerman) and for Kingston upon Hull, West (Mr. Randall), with their links with the probation service, will not need to be told this—that sex offenders live in a fantasy world and are often not prepared to face the consequences of what they have done. They try to push it away or ignore that it has happened. They try to say that the victims actually wanted it to happen. It is critically important that these people should be brought face to face with the damage that they have done and accept responsibility for their actions.

Mr. Andrew F. Bennett (Denton and Reddish): Can the Minister tell us about the control mechanism, as it were, in new clause 9? At present, a person allowed out on parole has to meet the conditions of the parole up to the three-quarters mark. If he does not do so, there is a recall provision which involves his completing the whole sentence. Under the new clause, as I understand it, he will be under supervision until the end of the sentence, but what happens if in the last month of the sentence he fails to carry out the instructions or advice that has been given to him? There will be no control mechanism left.

Mr. Patten: The person will be subject, as always, to recall and being brought back before the court if he fails to carry out the programme of activity laid down by the court. Working with sex offenders must be one of the most difficult jobs for the probation service and for the voluntary agencies which help the probation service. It is very tough and demanding work and it is currently in the process of great development. I am confident that the probation service will build on its good practice in helping these offenders to control and contain their behaviour,

with a consequent reduction in reoffending sex offenders and much greater public safety for women and children. I commend the new clause and the amendment to the House.

Mr. Barry Sheerman (Huddersfield): It is a sad fact that the number of sexual crimes has increased. Like the Government, the Opposition believe that there must be action to deter such offenders and to ensure that those who commit some of the ghastly offences about which we all know are deterred by appropriate sentences. We agree with the new clause and the amendment.

There are two Government proposals. The first provides that a court may, when imprisoning a sex offender, direct that he must be on licence or release for the whole of the sentence and not after the three quarters point, as is laid down in the Bill. Secondly, a court may direct that a sex offender who is placed on probation with a condition to participate in specified activities or a condition to attend a probation centre can be subject to that order for longer than 60 days.

The Government's stated aims are to provide further protection for the public and to help sex offenders not to commit further sexual offences. On the first of those points —deterrence—we strongly agree with the Government. On the other, we should like some clarification as to the Government's purposes, and the resources that they have and will dispose so as to deliver that intention, since their aim is to help offenders not to commit further sexual offences.

Sexual offenders often have inadequate personalities and a history of being sexually abused when children. Those of us who have read any of the case histories of sex offenders know what a ghastly cycle of sexual abuse and intimidation is carried on in generation after generation. We also know that throwing these people into a typical British prison, even in the 1990s, is not likely to help them to come to terms with their behaviour, or to correct that behaviour. The number of units in our prison system that provide such treatment is small, as both Ministers will acknowledge.

Our hesitation about the second of the Government's proposals arises from our worry that this cannot be delivered. We believe that sex offenders must be deterred and helped to come to terms with their offending, so that they can stop doing it. It is no good sentencing a sexual offender, throwing him into a ghastly prison with no treatment, no counselling and no psychiatric help, and then turning out someone who is sexually more deviant and pathological than he was when he went in.

What do we want to do with our society? Do we want this man—as the Minister said, it is nearly always a man —to come out of prison after five years likely to commit a more horrific sexual crime? This is a special kind of offence, and one that is becoming far more common in our time. It is crucial that sex offenders have adequate treatment within prison. Sadly, that is often not the case. There are few specialist programmes in prison, and it offers little protection for the public if offenders spend long periods without help and then get a few extra months of supervision on release. We do not think that those two things make sense. It is not the quantity of supervision which is important, but the quality.

The Minister has said that the most difficult task of probation officers must be dealing with and helping sex offenders. I think that is right. The training of probation officers to ensure that they have the right qualities is scarce. Quality is difficult to obtain, even with good training. We need the right recruits, and then the right training. Sadly, the resources are not available. It is daft to introduce fine provisions in criminal justice legislation if they cannot be delivered with the resources available. I hope that the Minister can assure us that there will be a move on the quality of supervision and not just on its quantity.

Some sex offenders may benefit from a treatment programme on release which lasts longer than the normal licence, but it will be impossible for the trial judge to know that. That is a problem with the amendment. Is the trial judge the best person to decide whether an extended period of treatment is right for an offender? At that stage, the decision could be arbitrary. The parole board might be in a better position to know whether the extended period of treatment was necessary.

Some of the same problems arise over the 60 days-plus for community penalties. The critical issue is the lack of specialist facilities for sex offenders. We need more specialist facilities in the community. There are few in existence, and they are over-subscribed. The probation service runs groups for sex offenders, but it obviously needs enough people at any one time to form a group. Geographically it may be more difficult to form a group in a rural environment.

It is not clear exactly what the Government have in mind. Do they intend the provision to be used when a court has a particular treatment programme in view, or is it to be used more generally? Will something be tailor-made, or will there be a general prescription? The amendment merely refers to the length of contact. The accompanying press release from the Government referred to a more intensive programme and more frequent contact with the probation service. We want to know what exactly is in the Minister's mind.

The new provision has been introduced at relatively short notice. The National Association of Probation Officers first knew of it from press reports, yet in a letter dated 12 December to NAPO, the Home Secretary said:

"I share your concern that the Bill contains important proposals which deserve the fullest consideration."

The proposals should have been subject to the normal consultation process, and it is a shame that they have not been. A specialist task is involved. The people who will have to deliver the service are probation officers. If there is to be a greater call on that scarce resource, planning is necessary, and the earlier consultation takes place, the better.

As the two homosexual offences of soliciting and indecency will remain in clause 25, it is likely that licences or community sentences will be extended. There is small fear that a bigoted bench would use that. Perhaps the Minister will note my reasoning and come back on that; we may be able to discuss it at greater length later.

We accept that the new clause and the amendment are necessary, and we welcome them, but we would be unhappy if, when it came to putting this part of the Bill into action, there was no move by the Government to make treatment a reality, in prison and out of prison. I am sure that this is not what the Government intend, but we would be very disappointed if they merely introduced a late amendment to the Bill to make themselves look good in the public eye without delivering the resources that are

[Mr. Barry Sheerman]

necessary to deal with the root problem of sexual offenders. I hope that the Minister will reassure us on that score.

4.30 pm

Mr. Andrew F. Bennett: Like my hon. Friend the Member for Huddersfield (Mr. Sheerman), I am somewhat disappointed that the Government have not devoted more time to discussing the resources needed to make the new clause work rather than simply talking about the technicalities. I fear that throughout our ensuing debates will run the complaint that we are trying to deal with criminal justice and the reform of our prisons before we have had an opportunity to read the Woolf report and to study the recommendations that have arisen from the problems at Strangeways.

The Government's priorities are wrong. Rather than forcing through legislation at this stage, they should wait for the report. I am sure that it will deal with the treatment of sex offenders at Strangeways and with the substantial problems involved in keeping some of them separate from other prisoners. Such problems are bound to raise questions about resources, and about whether it is appropriate to house the two groups of prisoners in the same prison.

Many sex offenders lead a very restricted life in prison, not because of the nature of their offences but because of the attitude of other prisoners. Their treatment should start as soon as they go into prison and continue as they emerge into the community, but, as yet, I see very little evidence of a system to enable that to happen. The Government must think seriously about the resource implications and the achievement of continuity of treatment; at present, far too many sex offenders are locked up for long periods, while no attempt is made to enable them to come to terms with their crimes and to modify their behaviour so that their is little chance of their offending again.

I was a little concerned about the Minister's idea of how the mechanism will work as a pensioner approaches the end of his sentence. As the law stands, a probation officer will move from working with someone on an agreed basis as part of his parole conditions to a system of voluntary supervision. If a prisoner's treatment is to succeed, is not it far more important to persuade him to accept voluntary conditions than to make the conditions compulsory—especially at the end of his sentence, when it will be almost impossible for the probation officer to enforce such conditions? By the time the offender is taken back to court, major problems will have arisen.

I do not think it helpful to bring in arbitrary decision-making by probation officers, rather than concentrating on the court's decision; but that is simply a passing comment.

I agree with my hon. Friend the Member for Huddersfield that the trial judge may not be the most appropriate person to make decisions and that it is important to see how someone responds to the time that he spends in prison and to establish what is the most appropriate way to deal with him on his release at the time when he is released. At a time when he is overwhelmingly conscious of the behaviour that has resulted in his conviction, the offender cannot possibly anticipate whether his behaviour will change as a result of the years that he will spend in prison.

Mr. John Patten: I am very happy to respond to the points made by the hon. Members for Huddersfield (Mr. Sheerman) and for Denton and Reddish (Mr. Bennett). Important issues such as who should make decisions about resources I shall leave until I am dealing with similar, although not identical, points. The hon. Member for Huddersfield is quite right that the number of sex crimes has increased. I realise, of course, that he is as careful as I am to attribute a proper proportion of the apparent rise to the welcome increase in the reporting of such crimes. People are now coming forward and reporting rape, indecent assault and domestic violence—of course, domestic violence is at the margin of sex crime—in a way that did not apply 10 or 15 years ago.

Hon. Members on both sides of the Chamber want women and children to be encouraged to report such crimes, which hitherto have often been hidden, or submerged. It is much better to have the true crime picture than to suspect that things are going on but are not being reported. All sex crimes and attempted sex crimes should be reported, and with the welcome trend towards increased reporting the police and others have a better chance to get to grips with the problem when they have the full picture.

I welcome the general attitude of the hon. Member for Huddersfield to the new clause and the associated amendment. One or two organisations have already made their views known. At least one probation body—the Association of Chief Officers of Probation—yesterday made a statement welcoming what is being done. The probation service generally, at its different levels, is trying to develop integrated programmes to deal with sex offenders. A great deal of experimental work is going on. It is a mistake to think that all treatment of sex offenders has to be medical or neo-medical. Much of it is a question of simply getting people to face up to what they have done. I have visited probation areas such as Cambridgeshire which have very active programmes within which people are doing this tough, difficult work.

The hon. Members for Huddersfield and for Denton and Reddish asked where the money would come from. They agree that these are interesting ideas and there is broad Opposition support for them, for which I am grateful, but they want to know how implementing them will be paid for. In the autumn statement we announced that we intend, over the next three years, to employ more than 800 additional probation officers—men and women. That is the biggest-ever single injection of personnel into the service. By 1993-94 we shall see also increased public expenditure on the probation service—an increase of one quarter in real terms. It is from that very substantial, not to say huge, increase in resources that we hope to fund the new programmes.

Related to this is the important issue of sex offenders in prison, which was raised by the hon. Member for Huddersfield, and the equally important issue of what happens when they get out of prison and are in the care of the probation service. Is what is known in the trade as the through-care adequate? On the question of sex offenders, I refer to the excellent work being done in Grendon Underwood prison in Buckinghamshire. Treatment of various types—psychotherapy, counselling, aversion

therapy, and so on—is provided in about 60 of our prisons. I do not, of course, pretend that in all those prisons they are full-time activities.

Mr. Andrew F. Bennett: Does the Minister agree that there is a very long list of prisoners waiting to be transferred to Grendon?

Mr. Patten: Yes, and it is a very competitive list. As Grendon is a therapeutic community, people are accepted only if the other prisoners there believe that they can be worked into the system. Hence, I believe, the comparative success of Grendon. As I said, 60 other prisons in England and Wales provide sex therapy courses of one sort or another—courses aimed at getting offenders to face up to their offending behaviour.

Dame Elaine Kellett-Bowman (Lancaster): When I visited Grendon I saw that it provided a very useful programme—whether it still does I do not know—of plastic surgery for cauliflower ears, noses, and so on, and the removal of tattoos. That seems to have an enormous effect on prisoners of all types—sex offenders and others.

Mr. Patten: That is a very valuable point. Within the past 10 days, a number of people from Grendon Underwood have come to see me in the Home Office to discuss just that sort of work. I do not want to get into the jargon, but I have to say that, clearly, many sex offenders have two characteristics. First, very often they themselves were abused, either physically or sexually, when they were children. Secondly, many of them have very low self-esteem. That is not to say that they have not done bad things, but their problems must be taken into account when we try to persuade them not to do bad things in the future and to try to go straight. I hope that they will be helped by the provision of the new clause and the associated amendment.

The hon. Members for Huddersfield and for Denton and Reddish asked whether it is right to leave it to the trial judge to decide. I think that it is right because the trial judge will be advised by the probation service with the new pre-sentence report that will be written to national standards within set periods of time. That will give the probation service the opportunity to say whether it thinks that someone will benefit from a period of extended supervision. I would not claim—nor would anyone in the probation service or the medical authorities involved—that there is a cure for sex offending. Some people tell me that it may never be cured in the way that some of us would like. However, it can be controlled by people being made to face up to the damage that they have done to others and to realise that victims have been involved.

I hope that with those points of clarification the House will accept the new clause and the associated amendment.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 11

VARIATION AND DISCHARGE OF SUPERVISION ORDERS

'. For section 15 of the 1969 Act (variation and discharge of supervision orders) there shall be substituted the provisions set out in Schedule *(Provisions substituted for sections 15 of 1969 Act).*'.—*[Mr. John Patten.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

ASSAULT ON A POLICE OFFICER

'Any person convicted of assault causing actual bodily harm on a police officer in the execution of his duty shall be sentenced to a term of imprisonment of not less than three months, and shall not be released before he has served three months of his sentence.'.

Brought up, and read the First time.

Mr. Michael Shersby (Uxbridge): I beg to move, That the clause be read a Second time.

I wish to declare an outside interest as the parliamentary adviser to the Police Federation of England and Wales. The purpose of the new clause is to introduce a mandatory minimum custodial sentence of three months for assaulting a police officer while in the execution of his duty and where such assault occasions actual bodily harm.

Another reason for the new clause is to draw the attention of the House and the Government to what is now a major problem facing the police in this country. Many of my hon. Friends have put their names to the new clause and they all, in one way or another, advise on and take an interest in police matters. The aim is to deter persons from assaulting the public servants we pay to protect us and every citizen in Britain.

The House may ask why it is necessary. There are now about 20,000 assaults on the police each year and, unhappily, the number is rising. As a result, many officers are unable to return to duty for weeks or even months. Some are permanently disabled and their injuries are so severe that they never return to duty. Some die from their injuries. That is truly shocking, and it seems clear that those who assault police officers are not deterred from doing so by the existing range of penalties imposed by British courts.

I shall give a few examples. In Lancashire, in 1989-90, there was a 38 per cent. increase in assaults on officers. Of three convictions, one involved a sentence of probation for 12 months and compensation of £50, and another was reduced to common assault and the case did not even justify a court hearing. In Northamptonshire during 1990, 208 police officers were assaulted out of a force strength of 1,141—almost 20 per cent.

I received a fax this afternoon from the secretary of the joint branch board of the Northamptonshire Police Federation. It said:

"The Chief Constable and my Chairman are continually asking the Magistrates to impose severe sentences for this type of assault, and we fully support your attempt to make a mandatory prison sentence."

4.45 pm

In Avon and Somerset, in February 1991, an unemployed person who had been convicted walked free from court after a third conviction for assaulting the police. He was given a 15-month suspended gaol sentence after finishing a one-year sentence for offences which included an assault on the police. The judge is reported to have told him that a gaol sentence

"would do nothing more than protect the police and the public."

If the report is accurate, that seems a rather strange comment.

I could go on reading a long list of convictions that have not incurred a custodial sentence, and where a fine has been imposed or perhaps a community service sentence. For example, in Nottinghamshire in December, there were two convictions. One involved a fine of £100 and another

involved 100 hours of community service and £20 compensation. The constable concerned is still on light duties and may have to undergo surgery. We are talking not about minor scuffles with the police in which a police officer is nudged or shoved but about offences involving actual bodily harm.

I know that many hon. Members read *Police* magazine, the journal of the Police Federation of England and Wales. Some hon. Members may have already seen today the tragic case of the late PC Robert Gladwell, whose name has been added to the roll of police officers killed by a criminal assault while in the execution of their duty.

PC Gladwell and a woman colleague were sent to the Plaza hotel in Queensway, Paddington, on 16 December to deal with a disturbance. The woman officer, Constable Sharon Hofland, was assaulted and sustained a fractured hand as well as being kicked in the stomach. Constable Gladwell attempted to protect her, and received a blow to the head. He suffered concussion and was taken to hospital. On returning to Harrow road police station he began to vomit. He returned to duty on 2 January this year but, two days later, he collapsed and was taken to the Royal Free hospital for emergency brain surgery. He died without recovering consciousness. A subsequent post mortem found that his death was attributable to assault.

Superintendent Don Edwardson of Harrow Road described PC Gladwell as a professional and conscientious police officer who always gave of his best. He was a former soldier who worked on bomb disposal in Ulster and in Germany. Only a month before his death, he and his wife, Gillian, had adopted a child. I take this opportunity to pay my respects to the memory of a fine officer, and I am sure that the House will join me in expressing our deepest sympathy to his widow. [HON. MEMBERS: "Hear, hear."]

It is not enough simply to express our sympathy, and his death in the line of duty must not be in vain. The Government must take action to make it clear that society and Parliament do not accept the fact that 20,000 such assaults can take place without a real and powerful attempt to deter them.

My constituency of Uxbridge is a law-abiding area but, even there, out of a force of 230 officers there was one case of grievous bodily harm, with eight cases of actual bodily harm and 22 simple assaults, during 1990. In Hayes and Harlington, which for policing purposes covers part of my constituency, 58 officers were assaulted on duty in 1990.

The police, who are often young men and women, are at much risk in patrolling the down-town areas of our towns and cities. The same can be said of police officers in country areas, who are frequently assaulted when, single-handedly, they have to deal with drunken rowdies after closing time.

When I first became parliamentary adviser to the Police Federation, I laboured under the delusion that the lot of a country police officer, as portrayed over the years, was a quiet one—that it involved little more than having a jug with the landlord now and again and keeping an eye on the boys who were involved in a bit of local scrumping. I quickly found that the reverse is true. In many villages and rural areas, only one or two police officers may be on duty, and the nearest help is probably 25 miles away. They must often deal with a bunch of rowdies who travel by coach to a pub or club in a large town but return to cause problems in their village. The difficulties and serious assaults that I have described are by no means confined to urban areas.

How different is sentencing practice today from in the past? I am told that, perhaps, 25 years ago, an assault occasioning actual bodily harm on a police officer would almost certainly have resulted in the offender going to prison, probably for at least six months. A chief superintendent whom I spoke to about a week ago told me of a magistrate in Edinburgh, whom he knew well when he was stationed there as a young constable, telling a defendant, "I will not have you assaulting our police—six months." That was not an untypical sentence. As a result, everyone in the community knew that a person who was convicted and sentenced had committed a serious offence. That person was not, thereafter, well regarded in the community in which he or she lived.

Today, when assaults are commonplace and incur only a fine or community service, the feeling among the police is that few of the convicted person's relatives, friends or employers are aware of the gravity of the offence or of the conviction. That must be stopped.

A further reason for the new clause is to demonstrate to the police, including those who have been seriously injured and the relatives and friends of those who have died, that hon. Members care and support police officers in the difficult and dangerous task on which they are engaged at our bidding. That is an important aspect of the new clause.

I invite hon. Members who may doubt what I am saying to ask any police officer on duty in the House whether they think that penalties for assaulting the police are sufficient to act as a real deterrent, or whether they feel that Parliament cares sufficiently about the dangers to which they and their fellow officers are exposed. Hon. Members will find that the answer to that question is no.

My right hon. Friend the Minister of State may say that we do not want to send more people to prison—a proposition with which most hon. Members will agree—but we are debating violent offences against those whose job it is to uphold the law. As the Home Secretary has made clear, violent sentences merit a custodial sentence. As Mr. Speaker Thomas used to remind the House from time to time, this is the High Court of Parliament. This High Court should decide today that it will not tolerate those who punch, kick, stab and slash police officers, or women officers having their hair torn from their scalps or their breasts beaten by someone who thinks that they can do so with impunity to resist arrest. It is time to call a halt.

It has been put to me by several people with whom I have discussed the problem that we do not have minimum penalties. I asked the Library to compare the position in Britain with that in other European Community countries. That is not an easy task, because unfortunately the only available documentation is dated June 1978. I would not be surprised if my right hon. Friend the Minister told me that the position has changed. According to a Home Office report entitled "Sentences of Imprisonment: A Review of Maximum Penalties", published by the Advisory Council on the Penal System, other western European countries, broadly speaking, operate a system that specifies a minimum and maximum penalty for each offence, within which judges are permitted fairly wide discretion.

Mr. Teddy Taylor (Southend, East): It is the same in some states of America.

Mr. Shersby: My hon. Friend the Member for Southend, East (Mr. Taylor) reminds me that the position in some American states is similar.

In Belgium, a minimum and maximum penalty is specified in the criminal code. The penalty for ordinary theft ranges from one month to five years. In Sweden, the minimum sentence is one month of imprisonment. In the Netherlands, the acceptance of the short prison sentence is even more marked—less than three months tends to be the norm—and the minimum sentence is one day of imprisonment. I quote those examples to show that the concept of a minimum custodial penalty is not novel. I am asking the House not to return to the days of transportation to the colonies but seriously to consider the position that obtains in other countries of the European Community, to which we pay such regard these days.

I should like to quote from a letter that I have just received by fax from the president of the Association of Chief Police Officers, Mr. Owen, to show that the argument that I am putting before the House is, I hope, balanced:

"I much regret I am unable to support the amendment, for it is far too simplistic. Would someone go to prison for slapping a police officer or spitting at him? That would in my view be totally counter-productive."

My answer to Mr. Owen is no, I do not believe that someone would. The offence must be assault occasioning actual bodily harm.

Mr. Owen further says—it is important that the House should have regard to this—

"Having said that, I am sure you will appreciate the very strong groundswell of concern over the number of police officers who are being assaulted and assaulted quite seriously. We have no protection save the Courts and it is to the Courts that we must look for that protection.

I have over the last several years publicly expressed my concern and pointed to the leniency shown by the Courts. A recent example of 26 officers assaulted over the Christmas period in my Force resulted in the Chairmen of the Magistrates' Courts in North Wales meeting to discuss the problem.

It is right that we should draw attention to the growing concerns of the police officer on the street. We need to be sure he will approach and tackle all those incidents which he finds. If he feels isolated, who knows what course of action he will take?—to the possible detriment of society."

Mr. Owen makes my point very well, and I agree very much with the sentiments that are expressed in that paragraph.

Although Mr. Owen has reservations about the new clause, I hope that my right hon. Friend the Minister will take them seriously, because they support my general proposition that it is not good enough that there should be 20,000 serious assaults on the police and that this House has a duty to ensure that the men and women who protect the law-abiding citizens of this country can go about their job as we would wish them to, in the knowledge and belief that an adequate deterrent is available to deal with those who assault them.

This matter requires urgent attention. It cannot be left for a couple more years or for another Criminal Justice Bill. I therefore hope that my right hon. Friend the Minister will assure me, the federated ranks of the police and ACPO that the Government will take action.

5 pm

Mr. Robert Maclennan (Caithness and Sutherland): I understand the purposes of the hon. Member for Uxbridge (Mr. Shersby) in tabling the new clause. I welcome the opportunity that it gives to highlight the risks of serious assault faced by the police force and to highlight a growing problem. Parliament is anxious about this matter, and the hon. Gentleman was right to provide an opportunity for this debate.

I am afraid that it is not possible for me to concur with the view of the hon. Member for Uxbridge that we should accept the new clause. He made a big assumption, the force of which is not easy to demonstrate—that the proposed minimum mandatory prison sentence will act as a deterrent. There is a risk that the new clause will act in precisely the opposite direction. People who are stopped by the police want to avoid detention or being taken into custody. If a prison sentence were likely, a person stopped by the police would be likely to go to greater lengths to avoid being taken into custody and the risk of assault faced by the police would be even greater than it is. That would be counterproductive.

I would move from that view if the hon. Member for Uxbridge produced evidence to rebut it. The hon. Gentleman did not inform the House of the views of the Magistrates Association, although he informed us of the powerful view of the Association of Chief Police Officers that the approach of the new clause to this difficult problem was too simple. I believe that it is, indeed, too simple. The circumstances in which assaults causing actual bodily harm occur can vary considerably, as can the degree of culpability and of mens rea associated with such assaults. Imposing a mandatory minimum sentence would fail to take account of those variations.

The House sympathised with the point made by the hon. Member for Uxbridge about the tragic case of Police Constable Gladwell. A murder charge may be appropriate if the offender is discovered and brought to trial, but I am not sure that that case is relevant to the new clause. The hon. Gentleman says that Parliament believes that violent crime should result in severe penalties, but most people are aware of the limitations of incarceration as a deterrent. Whether imprisonment prevents crimes has increasingly been called into question. The hon. Gentleman did not discharge the burden of proof in explaining why we should depart from the normal practice of not having minimum penalties.

I should be bound to vote against the new clause if it were forced to a vote. The new clause would damage the cause that the hon. Member for Uxbridge understandably espouses—the provision of greater protection for the police. It would be more likely to lead to greater violence by those resisting arrest, which would constitute an additional threat from which the police would have to be protected.

Sir Bernard Braine (Castle Point): I intervene briefly to support the new clause so ably and convincingly moved by my hon. Friend the Member for Uxbridge (Mr. Shersby). He deployed a powerful case for having additional penalties which are an effective deterrent.

I, too, must declare an interest. I have been the adviser to the Police Superintendents Association of England and Wales, the senior officers in the field, for—I hesitate to say —some 25 years. I have got to know the police well. I respect and admire them. They deserve much more than they get, given their vital task. They have always had a difficult task. Being a police officer is difficult at any time, but never more so than today when the police have to cope with a rising tide of crime, especially violent crime. They

[Sir Bernard Braine]

are the thin blue line standing between the public and criminals who do not hesitate to use violence to achieve their ends and to maim and sometimes kill.

The trend is horrifying. My hon. Friend the Member for Uxbridge gave the House some examples. Let us consider the most savage crime—murder. Five years before the abolition of capital punishment, there were 290 murders per year on average. That is a frightening figure, but in the past five years there have been 647 murders a year on average. In the 25 years before abolition, 14 police officers were murdered in the course of their duty; in the same period since abolition, 53 have been murdered—four times as many.

I have been in the House for more than 40 years. During that time I have seen a steady deterioration in public behaviour and an increase in criminality of all kinds. It behoves us to stop now and again and to ask ourselves whether we are doing sufficient to reinforce and to protect the thin blue line. If the public are to be protected effectively—that is, after all, the task of the police—the thin blue line needs to be reinforced. As my hon. Friend the Member for Uxbridge could have told the House, there are several ways in which that can be done. For example, we could recruit more officers and double the police force—assuming that, in the conditions of today, young men and particularly young married men would wish to join the service. We could increase the number of police officers, or if that proved difficult, we could arm the police. *[Interruption.]* There is no need for my hon. Friend the Member for Uxbridge to intervene. I would never favour such a move, except that if nothing is done to give effective protection to police officers it will happen, and the public will support it.

Mr. Maclennan: Has the right hon. Gentleman studied evidence in the United States, where police forces are armed, and has he considered whether the situation there is safer for the police? My impression—it is no more than that—is that proportionately more police officers are killed in those circumstances.

Sir Bernard Braine: I do not understand the hon. Gentleman's intervention. I am talking about crime and policing in this country. When I first entered politics we proudly claimed that we had the finest police force in the world—the constable armed by the public, by which I mean not physically armed but mandated by the public to protect them. When I was a youngster, a police constable did not need any weapons—he was a respected figure—but I have seen the respect deteriorate, not because the quality of the police has changed but because society has deteriorated.

If we do not face up to that issue, we shall need to consider certain alternatives. The first would be to recruit more police officers. I am asking the House to consider whether young married men with children, knowing what happens on our streets, will rush to join the police force. The second alternative—

Mr. Peter Archer (Warley, West): Will the right hon. Gentleman give way?

Sir Bernard Braine: I promised to make a brief speech, and I want to keep it brief.

Mr. Archer: Will the right hon. Gentleman give way on the point that he has just made?

Sir Bernard Braine: I will give way to the right hon. and learned Gentleman.

Mr. Archer: Twice now the right hon. Gentleman has queried whether recruits are prepared to join the police. Is he aware that I fully support his view that we need more police officers, but in the biggest police force outside the Metropolitan area—the West Midlands police—the limiting factor is not the number of recruits who are prepared to apply but the number on the strength that the Home Office is prepared to authorise?

Sir Bernard Braine: Perhaps I did not make my meaning as clear as I should have done. With the new clause we are asking for action to be taken by the Government to ensure that there is a deterrent to assaulting a police officer. That is all that we are asking. If the warning that my hon. Friend described in detail is not heeded, we shall need to consider other means. The right hon. and learned Gentleman may be right, but if the trend continues and more police officers are murdered in the course of their duties, or injured and forced to retire from the police force through injury or ill health, it will become more difficult to recruit. If the right hon. and learned Gentleman cannot grasp that, he cannot grasp anything. I am talking about trends, and I make this appeal to the House because the trends that we have been witnessing are serious and worrying. That is the purpose of my support for my hon. Friend the Member for Uxbridge.

The idea of arming the police is politically objectionable in present circumstances. I have no desire to emulate the example of the United States. I want a police constable to continue to be an ordinary citizen who is armed by the community to preserve law and order—that is a wonderful, noble tradition and I want to preserve it—but if the idea of arming the police is politically objectionable, the only remedy is some kind of deterrent to make the men of violence think twice before attacking police officers. That is what the new clause would do.

5.15 pm

It is necessary to issue a warning. Unless Parliament shows itself to be concerned to protect the police—to protect the protectors of the public—recruitment will fall. I have been in close touch with police matters for many years. There is no dearth of young men who would like to serve in the police. Indeed, I have a grandson who, when he comes out of the Army, intends to join the police. He is most anxious to join and I am proud of him. But if we ignore the warning, recruitment will fall. I speak with some knowledge of the police and their views. We have no right to show indifference to the increasing dangers faced by police officers. For that reason, I am happy to support the new clause.

Mr. Ken Maginnis (Fermanagh and South Tyrone): I am grateful to be called at this stage, Mr. Deputy Speaker. I apologise for being late, but I was detained by duties in another part of the House.

I must acquaint the House with my interest as a parliamentary adviser to the Royal Ulster Constabulary. Although the Bill does not apply directly to Northern Ireland, there will subsequently be a direct knock-on effect in that part of the United Kingdom. My concern is not exclusively with police in Northern Ireland; it is with all

policemen in the United Kingdom. It is 33 years since I, as a young man just out of college, became a special constable, so I have some experience of policing from the coal face.

Throughout the years, I have seen at first hand the increasingly difficult job that our police forces have in dealing with the public. The vast majority of the public support our police forces in an increasingly passive manner. But more and more members of the public are prepared to confront the police and to assault them when there is an opportunity to do so. If we are not careful, we shall soon find police officers believing themselves to be totally vulnerable and that there is little public sympathy for them in carrying out their difficult job. The actions and behaviour of constabularies throughout the country are being questioned more and more. Their job is coming under more and more public scrutiny. It is, therefore, illogical that we expect the maintenance of the highest standards of behaviour from the police service, but that as a nation we do not give its officers every possible protection.

There will always be those who, perhaps as part of a football crowd or a group coming out of a public house late in the evening, may confront a policeman or policemen and even assault an officer, and who, the following day, will regret those actions. From what I have heard from Opposition Members so far, there may be those in the House who think that a mandatory three-month sentence is a draconian measure. However, we must remember that the minor incidents of people assaulting police officers in the circumstances that I have just described can lead to even more serious assaults or ultimately to an assault that could leave a policeman with a permanent injury or worse.

Policing is a partnership between the public and those upon whom we call to serve the public by maintaining law and order. If we then require the utmost discretion from our policemen and women, we must demonstrate to them not only that the public, but that we who represent the public in this House, care about them. We can do that only if we demonstrate as firmly as possible that we are not prepared to see them violently interfered with.

Therefore, I ask all those who care about the police service to ensure that we do not ask its officers to do the job under the impression that they must do it alone. They must be assured that every hon. Member, representing the community at large, is fully behind them and wants to provide them with the best possible protection.

The alternative was spelt out by the right hon. Member for Castle Point (Sir B. Braine): to arm our police service and to provide its officers with other means of protecting themselves. None of us wishes that. I have experience of the necessity of arming the police service in Northern Ireland and no one wants that to spread throughout the United Kingdom.

The answer is clear. The police must have the full protection of the law in just the same way as the public expect to have the full protection of the law. The police are not set apart from the community; they are part of the community. For that reason, I have pleasure in supporting the new clause.

Mr. Teddy Taylor: If any hon. Member doubted the danger to police officers, the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who represents so well the Royal Ulster Constabulary in Northern Ireland, could give the real picture. However, many of us have pictures from our own constituencies. I recently had the experience of going out with the police in Southend when they had to deal with a crowd of drunks on a bus. There was also a frightening incident involving an assault on a police officer outside my own home at 4 o'clock in the morning.

The crucial thing about which I hope the Government will think is that we are not being successful in deterring crime. No Government have probably tried so hard to reduce the crime figures. We have increased the number of police officers. We have done everything that one could reasonably do, but the plain fact is that we are not succeeding. If the present crime figures had occurred under a Labour Government, I fancy that Conservative Members would have been jumping up and down, making a great deal of noise. We cannot condemn the Government for the figures, but I hope that they accept that they have not been successful in deterring crime.

The easiest way of discovering the reason for that lack of success would be to take a public opinion poll of young people. We could ask one of the splendid organisations that constantly carries out such inquiries to ask young people, "What do you think would happen to you if you committed a certain crime?" Young people are misguided because the popular newspapers constantly devote headlines to judges who give a sentence of a bag of sweeties to someone who has committed a dreadful crime. Such headlines are far from being representative of what happens in courts because some stiff sentences are applied. However, the Government are probably not fully aware of the extent to which young people are under the impression that not much would happen to somebody who committed a crime, especially if it was a first offence. In Glasgow, many youngsters seem to think that if they say that they are joining a youth club, not much will happen on a first appearance in court. The Government might be alarmed at the answers that they would get if they were to ask young people that question. One of the serious problems facing society today is that those beliefs about what happens in court to young people are leading to a sharp increase in crime; they are certainly not deterring it.

Although this debate relates primarily to the police, I hope that the Government will consider the principle of a mandatory statutory sentence. In my opinion, that would lead not to more people going to prison, but to fewer people in prison because it would deter crime. If people knew that the consequence of a particular crime was a mandatory sentence, I am convinced that the numbers of people committing those crimes would fall sharply.

People who doubt that may ask, "Where is the evidence?" My right hon. Friend the Member for Castle Point (Sir B. Braine), who has represented that constituency so well for so many years, gave a hint of the evidence. I challenge those who disagree to say why the murder figures did not rise during the 20 years from 1945 to 1965 when we had the only mandatory sentence—capital punishment—yet all other crimes more than doubled. Of course, some people might say that there were special reasons for those murder figures, but we must ask why they did not rise at all when general crime was on the increase. There is no doubt that many people knew that a dreadful deterrent could be applied if they carried or used a gun. Since the abolition of capital punishment, we have not only had the huge rise in the incidence of murder to

[Mr. Teddy Taylor]

which my right hon. Friend referred, but there have been even more dramatic rises in crimes involving the use of firearms and, perhaps more importantly, in all crime.

Several hon. Members take my view that the only way to curb crime and stop people going to prison is to have a mandatory sentence so that people know that if they are found guilty of shoplifting, of robbing someone's house or of assault, mandatory sentences will be applied. Judges could be given special powers to depart from such sentences if they thought that there were particular circumstances relevant to that case. If we tried it, we might succeed in deterring crime—*[Interruption.]* It is not a matter of fun. I see that my right hon. Friend the Minister of State, the Member for Oxford, West and Abingdon (Mr Patten), is throwing up his hands as the argument advances——

Mr. John Patten: Not at my hon. Friend.

Mr. Taylor: I apologise. My right hon. Friend was making a gesture at another hon. Member who had said something else. I take it all back and wholly withdraw the implication of what I said.

If my right hon. Friend the Minister does not feel that we should try out the proposal in the new clause, will he please think about the problem of the rising crime figures? We could make many speeches about it. It causes terrible alarm among many people that crime is rising so quickly.

I accept that the Government have done many things. They have increased the number of officers. They have increased pay. They have done everything that one could expect to deter crime. We have even tried in our own narrow way to improve the living standards of the average family. But we are losing the battle at what seems to be an accelerating rate.

I appeal to the Government to consider the principle of the mandatory sentence. The evidence is available that it would work. My hon. Friend the Member for Uxbridge (Mr. Shersby) suggests that we should try mandatory sentences, not for all crime but for assaults on the police. Of course, we have an obligation to treat policemen in a special way. They are the chaps who have to face the dreadful problems of crime. I have seen the problems that they have, as have other hon. Members.

5.30 pm

Mr. John Patten: My hon. Friend is on to an extremely important and interesting point when he directs the attention of the House to who is responsible for stopping crime. I have paid great attention to my hon. Friend's speech. Is he aware of a survey published just before Christmas which was commissioned by the Home Office? It showed that a relatively small number of people in Britain pointed the finger at the Government or the police and said that they should prevent crime. The overwhelming majority—53 per cent. of those asked—pointed the finger at the family and said that it was in the front line in preventing crime and stopping criminality.

Mr. Taylor: I am delighted that the Home Office is carrying out surveys. That is a step forward. It is good news. I accept that family breakdown or problems such as increased drinking may be factors which lead to a general increase in crime. The Government may be innocent. They may have been wrongly attacked all along. The Minister should receive a medal and I should be glad to give him one if it would reassure Ministers that I am making the serious point that we are not succeeding in reducing crime. There is evidence that mandatory sentences would reduce crime. My hon. Friend the Member for Uxbridge suggests that we should try a mandatory sentence for assaulting police officers. There are abundant reasons why we should make police officers a special group. They justify special attention because they do a special job. Let us try a mandatory sentence. If it does not work, people like me and others who have argued for it will have nothing much to say. But I believe that it would deter crime.

I appeal to my right hon. Friend the Minister, now that the Home Office has started to conduct surveys—I wish the Government good luck in that—to ask young people what they believe would happen if they were found guilty of a crime. If he does, I believe that he will find overwhelming evidence that standard mandatory sentences, which let young and older people know that if they commit a certain crime they will receive a certain sentence, would deter crime.

Mr. John Patten: My hon. Friend has made a positive suggestion that our next survey should include questions about what young people believe would happen to them if they were found guilty in court. I shall do exactly as he suggests.

Mr. Taylor: That is a massive step forward. I have been greatly impressed by the active and positive way in which my right hon. Friend the Minister has approached his duties. I honestly believe that if he takes up my suggestion, he will find interesting information. Once that information is available, it might be possible to introduce mandatory sentences.

I assure my right hon. Friend the Minister—and I am sure that he accepts—that the object of the new clause is not to put more people in prison or to hammer people for assaulting police officers, but to attempt to stop crime and stop youngsters and others getting into trouble. My right hon. Friend has already made a major advance by promising to carry out the survey that I suggested. Let us hope that that and other advances will allow us to begin to tackle and overcome the crime problem with the great zeal and enthusiasm that my right hon. Friend the Minister has shown in his approach to this serious problem.

Mr. Andrew F. Bennett: I accept that, by tabling his new clause, the hon. Member for Uxbridge (Mr. Shersby) has highlighted a problem. But his solution to the problem is not appropriate. I hope that at the end of the debate, which should be useful in drawing people's attention to the problem, he will withdraw his new clause.

Everyone should be worried about the loss of public esteem for the police and the damage done to individual policemen. It is important that as a society we restore public esteem for policemen so that there are fewer assaults on them and they are shown more respect by the general public. It is especially important that the general public come to the assistance of the police automatically and without question when the police need them. One of the saddest features of many cases in recent years has been the lack of assistance from the public to uniformed policemen.

I add to the hon. Gentleman's list of the problems of the police the growing trend for criminals to use dogs to further or protect their crimes. It is an extremely harrowing business for a police officer to attempt to

apprehend someone who has with him one of the more vicious dogs such as the pit bull terrier, the rottweiler or the German shepherd, or to enter a house where such a dog is present. It takes a great deal of nerve for a police officer to carry out his duty when he knows that an individual has such a dog with him or on his premises. There is also considerable anxiety among police officers about the increasing use of firearms.

I accept that there is a problem of the police being attacked. One need only consider the amount of time that police officers have off work to recover from assaults to realise that violence against the police is a major problem. The problem is not only the pain and suffering of the police officer but the loss of a highly qualified officer from work.

The problem is not recruitment. The right hon. Member for Castle Point (Sir B. Braine) did not have a valid point when he said that recruitment was a problem. The problem is rather different. It is the loss of good police officers to the service as a result of physical damage which results in their taking early retirement. There is also the problem of fear. Not many police officers are willing to admit that they are frightened by their job, but there is much evidence that their spouses are frightened and fear for their safety. That may lead policemen to look for an alternative job. There is a problem of people leaving the police service early when a great deal of money has been spent on training them and they are just beginning to become skilful officers.

I accept that there is a problem, but the idea that it can be solved by a mandatory three-month sentence is ludicrous. Some serious assaults have been mentioned. It is a pretty sick society which believes that three months is a long enough sentence for such assaults.

Mr. Shersby: I said that three months would be a minimum sentence. Anyone who assaulted a police officer and occasioned actual bodily harm would be given a sentence of at least three months. There is nothing to prevent a judge or magistrate from imposing a much longer sentence.

Mr. Bennett: I understand that, but we are dealing with the psychology of crime. We must get it across to people that if they commit a serious assault they will be given a serious prison sentence. It does not seem to me that a three-month sentence would fulfil that psychological role.

I suggest that the essential problem is that, in far too many assaults, the culprit is not caught. Ensuring that people are caught is the most effective way of stopping crime. I should have been much happier if the hon. Gentleman had put more emphasis in his new clause on making sure that people were caught. If we make it almost a certainty that people will be caught, it will be a deterrent.

Mr. Maginnis: I understand what the hon. Gentleman says, but it shows a danger into which we have fallen. We constantly talk about catching criminals and terrorists. The real secret is deterrence. We must deter the potential criminal and terrorist. The new clause is designed simply to prevent those who begin at the lowest level to assault policemen from doing so. It is intended to be a deterrent.

Mr. Bennett: I firmly believe that the best deterrent is the likelihood of being caught. It is important that an offence is followed by punishment, but I do not believe that many people would commit a crime if they knew for certain that they would be caught. Catching the culprit is the most important deterrent.

I accept that we have more policemen in our forces, but have we got more of them out on the beat performing their duties? From talking to policemen in Greater Manchester, I know that one of their worries is that far too many of them are not out on the streets undertaking police work because they are tied up with work in the police station. They argue that the Police and Criminal Evidence Act 1984 has increased their paperwork. I believe that most of that paperwork is necessary, but in Greater Manchester too many police officers are using typewriters—often they type with only one or two fingers—to prepare material and reports when that work should be done by people trained for the job. We could do much more to ensure that more policemen are out on the streets, but that comes down to resources.

The hon. Member for Uxbridge did not establish the essential argument that many people have been caught and convicted of assaults and given trivial sentences. I do not believe that that case can be established. There is a danger in giving new powers to policemen, whether uniformed or not. In my constituency I know of a sad case of someone who was convicted of assaulting a police officer, but because that officer was in plain clothes the person convicted was not aware of his identity and thought that the officer was carrying out an assault. That problem must be resolved. The new clause states that a person should be convicted of assault

"on a police officer in the execution of his duty".

When is a police officer off duty? It is important to consider that.

The most important thing to ensure is that the public go to the aid of a police officer. The central problem with the new clause is that it seeks special treatment for police officers. Let us assume that a police officer is being attacked and I, as a member of the public, go to his assistance. If the police officer ended up with his arm broken, the person responsible would, under the new clause, be guaranteed to receive a three-month sentence at least. If my arm was broken in assisting that police officer, there would be no guarantee of such a punishment. If one wants to encourage the public to go to the assistance of police officers one must ensure that all receive even treatment. We must not make a special case for police officers.

Police officers do a difficult job and the law should provide them with the same protection as the rest of us. When people carry out serious and dangerous assaults, they should expect to be caught and the courts should then give them an appropriate sentence.

I hope that the hon. Member for Uxbridge will withdraw the new clause. When the Minister replies, I hope that he will tell us what the Home Office intends to do to ensure that more police officers walk the streets to provide protection for the public. I hope that he will also say what protection will be given to police officers in the course of their duty, as I have every sympathy for a police officer who is on his own with little chance of summoning assistance.

Dame Elaine Kellett-Bowman: When my hon. Friend the Member for Uxbridge (Mr. Shersby) introduced his excellent new clause he cited figures relating to attacks on

[Dame Elaine Kellett-Bowman]

police officers in Lancashire. He said that in 1990 the number of such assaults had risen by 38 per cent.; but there is more to it than that.

Before 1989 no record was kept in Lancashire of the number of policemen and policewomen assaulted. In 1989, when those figures were first collated, 277 officers received injuries in the course of their duty. Unfortunately, as we are unaware of the low number of attacks before 1989 we cannot know how big an increase this is, but now we are reaching figures that are increasingly horrific.

Police officers in our part of the world are fairly tough. They do not consider that they have been assaulted if they end up struggling in the gutter with a drunk. They regard that quite good humouredly and deal with it in an appropriate manner. They do not consider that they have been assaulted if they are hit by a mentally disturbed person, since Lancaster has always been a centre for the treatment of mental illness in that part of the north-west. The police regard their help in dealing with such unfortunate cases as part of their normal duties. In common with all other police officers, they do not regard themselves as assaulted if they try to intervene, perhaps rashly, in a dispute between husband and wife.

The figures recorded in Lancashire relate to deliberate attacks on serving officers. We know only too well that the public and the police are supposed to react to trouble differently. The public are advised to retreat from any bother, although sometimes brave members of the public do not heed such advice, but policemen must go in, come what may. The recent unfortunate accidents in the tube, which I accept have nothing to do with assaults on police officers, show that police officers have to go to the heart of things—it is their duty to go forward, not back.

5.45 pm

I agree with my hon. Friend the Member for Uxbridge that a mandatory sentence would have a salutary effect on the public. People would then know that if they deliberately laid a finger on a police officer they would go to prison and that is that.

Mr. Shersby: My hon. Friend will be interested to know that I received a letter today from the secretary of the Lancashire joint branch board of the Police Federation. He said:

> "Youths from Blackpool with many previous convictions escaped from a police van, assaulting police officers, and escaped from the Crown Court by jumping from the Dock. Eventually received community service order at Crown Court"

Does my hon. Friend believe that that is an adequate deterrent?

Dame Elaine Kellett-Bowman: I agree with my hon. Friend that that is inadequate. If people received a mandatory sentence for such an offence we would not witness an increase in the number of people incarcerated in prison—rather those numbers would reduce because, as my hon. Friend the Member for Southend, East (Mr. Taylor) has already said, people would know that if they attacked a police officer they would go to prison, and therefore they would not do it.

Mr. John Greenway (Ryedale): As the House knows, I was once a policeman. My right hon. Friend the Member for Castle Point (Sir B. Braine) referred to his grandson and my eldest son is at present working in the recruitment office of one of our constabularies during his year out from his degree course. I hope that, when he has completed his degree, he will take up a career in the police.

Assaults on police officers are a serious problem, as the evidence cited by my hon. Friend the Member for Uxbridge (Mr. Shersby) makes clear. Something must be done.

The Bill has established some new powers, and I hope that they will go some way towards doing something about rowdy behaviour in our high streets, particularly during the weekend, late at night. We hope and expect that the courts will use the new power for curfew orders and electronic tagging. I also hope that the courts will take seriously the new powers relating to parental responsibilities and that community sentences will not be a soft option, but will be extremely tough.

Much as I believe that anyone who seriously assaults a police officer should go to prison, we must consider whether the new clause is appropriate. There is some difficulty in defining actual bodily harm.

I know that the House likes to listen to my brief stories from my time as a police officer. I was once kicked extremely violently in a very uncomfortable place——

Mr. Shersby: In Soho?

Mr. Greenway: No, it was in the foyer of one of the most distinguished luxury hotels in the west end. I was kicked in a very uncomfortable place. I assure the House that that definitely occasioned actual bodily harm—certainly it was extremely painful. However, the person who did it was a distinguished Scottish teacher, in a dinner jacket, who was blind drunk. Are we saying that that man should automatically go to prison for three months? I suffered other assaults as a policeman 20 or so years ago, and I agree entirely with what my right hon. and hon. Friends said: the violence that today's police force has to face is considerably greater than it was in my time in the 1960s.

Dame Jill Knight (Birmingham, Edgbaston): Is my hon. Friend saying that a crime of assault or of any other nature committed when drunk should not be an offence?

Mr. Greenway: No, I am saying that when people are brought before a court and convicted of an offence, we must expect the court to take notice of their entire circumstances, not just the fact that they have committed an offence. There should be no absolute or mandatory sentence imposed on them. The courts require flexibility.

When the Select Committee on Home Affairs conducted an inquiry into the Crown prosecution service last year, it became clear that the problem of assaults on police officers, and the way in which they are prosecuted in our courts, was of much concern to the police service. In particular, there is criticism that the Crown prosecution service may charge for a mere assault on the police, which is only triable summarily in a magistrates court, rather than charging for section 47 or section 18 offences—actual bodily harm or grievous bodily harm—which are triable in a Crown court.

I believe that all hon. Members will expect that the vast majority of defendants in that position should be sent to prison. I hope that, if nothing else comes out of today's helpful debate, we can send a message to the effect that the House expects our courts to use their powers.

Much as I would like to support my hon. Friend the Member for Uxbridge and new clause 1, as he supported my new clause some two months ago, we do not know how big a problem this is. We do not know how many police officers are being seriously assaulted and suffering serious injuries. We do not know how many of the attackers are not being sent to prison. We do not know how many people who commit assaults are being charged with too minor an offence in the first instance.

Dr. John G. Blackburn (Dudley, West): My hon. Friend said that we do not know how many assaults there are, but we do. The figure has been given in today's debate; concrete and well-documented figures have been produced. In the past year, there have been more than 20,000 assaults.

Mr. Greenway: My hon. Friend says that I asked how many assaults there had been. With respect, that is not what I asked. I asked how many cases there had been of police officers who had been seriously assaulted, their assailants found guilty before a court of this country, whether a magistrates court or Crown court, but were not sent to prison for at least three months. That is what we want to know.

This afternoon, my right hon. Friend the Minister has already greatly helped the House and the cause of protecting our police force by responding to a request from my hon. Friend the Member for Southend, East (Mr. Taylor) for a survey of young people's attitudes towards what happens if someone is arrested, charged with a crime and found guilty. The Home Office, in collaboration with the Association of Chief Police Officers, must undertake an inquiry into the sentencing by the courts, as well as the prosecuting through the Crown prosecution service, of cases of assault on police officers, so that the House can consider the matter with all the available information and make a judgment.

I agree entirely with the sentiments expressed in the letter received from the president of ACPO, David Owen, the chief constable of north Wales. Sadly, we cannot put the new clause on the statute book, but through today's debate we can send a message to the courts that the House and the public expect them to be tough in sentencing people who assault our police officers. Something more needs to be done.

Dr. Blackburn: As the House will expect, as an act of courtesy to the House I shall declare my interest. For the past 10 years, I have been parliamentary adviser to the National Association of Retired Police Officers. In addition, I declare an interest as a former serving police officer. However, the greatest mandate I have to speak on the new clause is that, for more than a century, members of my family have served in the police force. There are currently three members of my family serving with the Merseyside police.

The new clause has the full and unqualified support of my hon. Friend the Member for Brentwood and Ongar (Sir R. McCrindle) who, due to parliamentary duties, cannot be present for today's debate.

The House has a solemn responsibility to defend the police service, and the men and women in it. Tonight, every serving police officer in this country will despair at the speech made by the hon. Member for Caithness and Sutherland (Mr. Maclennan), which was appalling in its content. It failed to defend the police and show them that the House has confidence in them as they perform their duties.

The new clause will be supported by all reasonable and responsible people of good will who are prepared to associate themselves with the police service. Many speeches we have heard today are testimony to the support given to the police service. I am horrified when I think of what would happen if the day dawned when the House did not give a vote of confidence in, and salute, the fine men and women of our police service.

By definition, a police officer is a citizen. It is important to note that he is part of a community—the man who lives down the road. We all know him and his family. He is locally appointed, which is why we have 47 police forces in the country. However—this is important—he acts under the authority of the Crown, which is given to him by the House. His role is the maintenance of peace and the prosecution of offenders against the law. The task facing us today is to cloak the police service with the protection of the law. We have a solemn responsibility to do that, and we must exercise it today.

What will Parliament's response be to the pleas by serving police officers through those right hon. and hon. Members who have been called to speak in the debate? I hope, cry and pray that we shall have a positive response from the Minister of State, and that he will salute the men and women of the police service. However, more important than words are actions. We must make positive moves, particularly in response to new clause 1, of which I am delighted to be a signatory.

The House has always been generous to me. I was a serving police officer for 15 years. During that time I was wounded twice and assaulted five times. As a result of that experience, I can do nothing else but to support the new clause.

I take issue with the idea that the deterrent is not the sentence but the arrest. I have seen many culprits arrested, and they have never been deterred by that. When they have appeared before the courts, they have not been given sentences that could be construed as a deterrent either. I know of occasions when police officers have been caused bodily harm in the execution of their duties and when the offender has also been charged with causing damage to police uniforms—and magistrates have imposed heavier sentences for the damage to the uniforms than for the damage to the police officers. Those are the hard facts of life for the men and women of the police service.

6 pm

The right hon. and learned Member for Warley, West (Mr. Archer) said that the biggest police force apart from the Metropolitan police was the West Midlands police force. Not so. The biggest police service apart from the Metropolitan police is the Greater Manchester police force. My constituency is under the protection of the West Midlands police, however. I should like to give the House a few details about that police force, which is headed by Chief Constable Ronald Hadfield.

The last published figures—I take no pleasure in them—in the annual report of the chief constable revealed that two police officers in the west midlands were murdered in the execution of their duty—one shot in a bank raid, the other stabbed to death in the centre of Birmingham. No words of mine could ever convey my strong desire to

ensure that this House affords the men and women who daily risk their lives because of the responsibilities that we have given them the protection that they need.

Last year in the west midlands, 1,060 police officers were wounded in the execution of their duties. I was pleased to hear someone mention money and the training of police officers, and the subsequent problems when they are assaulted. The 1,060 police officers wounded in the west midlands lost 7,000 working days because of their injuries. Worse still, many young men and women found themselves, perhaps in the middle of promising careers, before medical boards being discharged from the police service on medical grounds because of the assaults on them. This House has a responsibility to protect the fine men and women of the police service and to do that by supporting new clause 1. I wish it godspeed on behalf of every serving police officer.

Mr. Ivan Lawrence (Burton): It is lonely speaking as a Conservative Member and not having been a serving police officer, although on reflection I seem to recall that my wife's grandfather was the chief constable of Northumberland. It is also fairly miserable following my hon. Friend the Member for Dudley, West (Dr. Blackburn), who condemned anyone who had doubts about the new clause as not being a reasonable person or a person of good will. I hope that he will not ascribe those defects to me. He and I have known each other for a long time and we are great friends.

Like all other hon. Members who have spoken with great passion on this subject, I am concerned about the safety of police officers. Those who have been here longest will know that I have spoken for the restoration of capital punishment for the murder of police officers—as a great protection—for many years. I have nearly 30 years of practice in the criminal courts and I know from experience longer than that of most hon. Members—except, perhaps, that of my hon. Friend the Member for Ryedale (Mr. Greenway) who was a serving police officer—about the bravery and courage of our police force.

Nevertheless, I have doubts about the new clause. I do not like minimum sentences. They reduce the discretion of the courts, and all who practise in or know anything about the courts realise that human life spans an enormous width and that there are many degrees of blameworthiness. My hon. Friend the Member for Ryedale told us of his experience with an intoxicated reveller who attacked him in his foyer—*[Laughter.]* I should perhaps have said in the foyer.

Once we go down the slippery slope of minimum sentences, where should we stop? I know that we have one for murder, but that was a quid pro quo for abolishing capital punishment and there were special reasons for it; when this Bill is considered in the other place it may be attacked for doing nothing about the abolition of that statutory sentence. Why should not we have minimum sentences for child abuse, rape, pornographic offences, perversions, buggery or torture? Why not for blackmail —or even for theft of the royal mail? The only way to ensure that the mail is always delivered is to give out stiff sentences to postmen or anyone else who interferes with it. That is done in the United States of America.

Speeches calling for minimum sentences have always been resisted over the years. Governments have resisted the idea of going down this slippery slope because if one case is allowed as an exception it becomes difficult to refuse other cases——

Mr. Teddy Taylor: My hon. and learned Friend said that there was a minimum sentence for murder, but my understanding is that life sentences can mean anything at all, depending on the views of the Home Secretary of the day. Some life sentences are served in six months.

Mr. Lawrence: My hon. Friend and I have common cause in that campaign and I agree with him; nevertheless, the sentence is statutory. Since my hon. Friend has provoked me, I must point out that if we imposed a minimum sentence for assault occasioning actual bodily harm to a police officer, resulting in offenders being sentenced to at least three months' imprisonment, it would not be the courts that decided what the sentence should be: the prosecuting authority or the police would decide that a type of offender should not go to prison for three months and would therefore charge him with, say, assaulting a policeman in the execution of his duty even though there had been assault occasioning actual bodily harm. That would take us further down the road to which my hon. Friend the Member for Southend, East (Mr. Taylor) objects—that of administrative sentencing. That is as undesirable as minimum sentencing, and for the same reason. It removes the power of the judiciary to assess the appropriate sentence for the circumstances.

Sir Bernard Braine: My hon. and learned Friend has enormous experience of the courts and I follow his line of argument up to a point, but what we are concerned with is how to prevent assaults on police officers. We are concerned with preventing violent crime. How would he prevent the assaults on police officers that the House wholly deplores?

Mr. Lawrence: If one gives the courts flexibility of sentencing, in an appropriate case they may give nine, 12 or 18 months or even three years for an assault occasioning actual bodily harm to a police officer.

I left the Chamber for a moment to fetch from the Library the "Current Sentencing Practice", because I should not like my hon. Friends to think that no guidance was given to the judiciary. Unfortunately, someone has stolen it. The stealing of law books from the House of Commons Library would be my first choice for a minimum sentence.

Mr. Tim Janman (Thurrock): May I suggest to my hon. and learned Friend that the point at which we stop on minimum sentencing is embodied in my new clause 5? It is not the judiciary who are elected to the House to represent the concerns of the British people about crime and the need to give greater protection to the "thin blue line", as my right hon. Friend the Member for Castle Point (Sir B. Braine) said. Hon. Members do that job. As there is still a great deal of flexibility for the courts if we set a minimum as well as a maximum sentence, I do not understand why my hon. and learned Friend has such an objection to the elected representatives of the people seeking to insert, for various categories of crime of which this may be one, not only a maximum but a minimum sentence. There would be a good deal of flexibility between those extremes.

Mr. Lawrence: My answer to that point is the entire speech that I am making. I do not think that Parliament should set minimum sentences, for the reasons that I am trying to give.

Returning to the point that I was making before my hon. Friend the Member for Thurrock (Mr. Janman) intervened, I was going to bring into the Chamber "Current Sentencing Practice", which contains several pages of guidelines to Crown court recorders, High Court judges and anybody else in the process of sentencing about what to do in the case of an assault on a police officer in the execution of his duty or an assault occasioning actual bodily harm. I cannot remember word for word what their lordships have said in the higher courts—I shall be corrected by my hon. and learned Friend the Member for Blackpool, North (Mr. Miscampbell) or by the right hon. and learned Member for Aberavon (Mr. Morris)—but my recollection is that it is that assaults on the police are so serious, and it is so important that we should defend the police, that it must hardly ever be appropriate not to send the offender to prison. Therefore, only very occasionally should those who commit assaults occasioning actual bodily harm on police officers not be sent to prison, and the reasons for not sentencing them to prison must be weighty.

With all my regard for my hon. Friends, for their depth of feeling and for their passionate support, which is totally justified, of police officers, I do not think that the police officers themselves would, in quiet, considered moments, consider that we should go down the slippery slope of minimum sentences, for the reasons that I have given. Strong emotion is one thing; cool thought is another. I am sure that most of the people who sit or spend time in our courts will want us to consider long and carefully before we go down that slope or support this new clause. If statistics were to show that police officers were inadequately protected, I would change my mind, but I do not think that they do. Until they do, we should continue not to have a minimum sentence.

I hope that when my right hon. Friend the Minister of State replies he will take into consideration the views that I and my hon. Friend the Member for Ryedale have expressed.

6.15 pm

Mr. Sheerman: This has been a most interesting debate. Uncharacteristically, across the party divide, I feel myself drawn warmly to some of the arguments by hon. Gentlemen with whom I do not often agree. I think particularly of debates on capital punishment and the arguments that I usually hear from the hon. and learned Member for Burton (Mr. Lawrence). On this occasion, however, I find his arguments convincing.

Anyone who has listened carefully to the debate, as I have, senses that it is a feeling of frustration which has led to this new clause. I can understand that frustration. When crime rates have been soaring and when we do not seem to know what to do about them, there is a feeling that almost anything must be tried. The motives behind the amendment may be quite pure, and they were passionately put by the Father of the House, the right hon. Member for Castle Point (Sir B. Braine). I understood the passion and frustration in the amendment which bears his name, but as a sensible and rational response to the problems of rising crime and attacks on the police, the amendment will not work.

Opposition Members take these things extremely seriously. We have been working very hard, looking at the whole way in which policing is carried out, and we feel, with great respect, that we need a far more fundamental evaluation of our present position on law and order and effective policing. It is high time—the debate on this amendment demonstrates it—that we had a thorough look at policing in the late 20th century.

I agree with the president of the Association of Chief Police Officers, David Owen, the hon. Member for Ryedale (Mr. Greenway) and other hon. Members on both sides in their analysis of the amendment, that we must do something about these attacks on the police but that this is not the right way to do it, even though we condemn the assaults and condemn the environment in which they take place. Not only must such behaviour be condemned—we must consider seriously the way in which we solve the problem; but we cannot support this new clause.

I do not want to keep the House; we have spent a long time on this new clause, and there are many more to come. The law as it stands provides the right remedies. The guidelines mentioned by the hon. and learned Member for Burton exist. A very dangerous precedent would be set by this blanket ruling. It would undermine a fundamental principle of British justice—that cases must be judged, within that framework of guidelines, on their merits.

I talked very recently to an eminent recorder who pointed out that he had had before him not long ago a case of quite a serious assault—in one way, a very similar assault to the one mentioned by the hon. Member for Ryedale. A policeman got a black eye, a damaged ear and other slight injuries. The court, taking the circumstances of the case into account, did not send the man to prison. There is a great danger that, if the flexibility of our court system were not a fundamental principle of British justice, it would be less fair.

The second part of the new clause would remove parole from the options. This also is difficult, as it would run counter to the theme behind the Government's proposals in the Bill.

We hope that the Government will resist the new clause. It is unnecessary, it is against the feeling of the Bill and it would sidestep the issue that we should be doing something fundamental to reassess the role of British police in our society.

Mr. John Patten: The House has been united on two points. The first is our sorrow at the outrageous incident that led to the death of PC Gladwell. I know that the House would like to extend our sympathy to his widow and family. Secondly, we are united in whole-hearted support of the police, and in our desire that the police should be protected.

This interesting debate was initiated by my hon. Friend the Member for Uxbridge (Mr. Shersby) who, with his usual clarity, set out the position of the police, and the need for protection in contemporary society. My hon. Friend the Member for Uxbridge was strongly supported by my right hon. Friend the Member for Castle Point (Sir B. Braine) and by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), whom I first met in a back kitchen near the border when he was an innocent member of the Ulster Defence Regiment, before he came to the

[Mr. John Patten]

House. We all listened to what he had to say and we support what the Royal Ulster Constabulary does in the Province to help the people there.

My hon. Friend the Member for Southend, East (Mr. Taylor), who was kind enough to let me intervene not once but twice in his speech, and my hon. Friends the Members for Lancaster (Dame E. Kellett-Bowman) and for Dudley, West (Dr. Blackburn), who made a characteristically powerful speech, supported my hon. Friend the Member for Uxbridge.

We also heard from some agnostics, some "don't knows" and some "dead againsts" such as the hon. Members for Caithness and Sutherland (Mr. Maclennan) and for Denton and Reddish (Mr. Bennett). Another was my hon. Friend the Member for Ryedale (Mr. Greenway), who was a serving policeman. He has given a new impetus to the expression "a kick in the foyer". My hon. and learned Friend the Member for Burton (Mr. Lawrence) spoke powerfully, as someone who sits as a recorder.

If all worked well in the criminal justice system, the police would get the protection that most people want them to get, because of the offences that already exist. Section 51 of the Police Act 1972 and the important guideline sentences from the Court of Appeal are part of the system. In 1979, the case of McKenlay laid down the clear guideline judgment that, even in the case of minor assaults on the police, if the court sees fit to give a sentence of imprisonment, it should do so.

In the same year, the equally important case of Byrd went to the Court of Appeal. Two police officers were knocked to the ground; their assailants were found guilty and sentenced to six months. In an appeal, the judgment was upheld and the Lord Justice of Appeal thought that the sentence might not have been long enough. The Attorney-General now has the power to go back to the Court of Appeal when he feels that sentences are too lenient, and he has done that in 24 cases. In 21 of those cases, sentences were increased. That additional power was welcomed when it was introduced.

I prefer not to get into too much detail on whether we should have minimum sentences, for I am looking forward to debates on that when we get to the new clause tabled by my hon. Friend the Member for Thurrock (Mr. Janman). In any case, my case was pleaded eloquently for me by my hon. and learned Friend the Member for Burton. Nor do I want to get involved in a debate about where to stop. We could ask whether such protection should be extended to prison guards, probation officers or even sub-postmasters and sub-postmistresses, all of whom do a difficult job.

I make my hon. Friend the Member for Uxbridge and his supporters an offer. We do not have adequate information. I have already given my hon. Friend the Member for Southend, East, in response to an important point he made, an undertaking that I will ask a series of survey questions. We do not yet have the 1990 figures, but we have the 1989 figures. As I remember it, there were about 37,000 convictions for assault occasioning actual bodily harm in England and Wales. In 10 per cent. of those cases, sentences of imprisonment were given, and the average sentence was seven months.

However, we do not know how many of those cases of assault were against policemen and policewomen, who share the difficult task that the federated ranks and the superintendent ranks carry out. For the reasons that I have given and that have been given by my hon. and learned Friend the Member for Burton and others, it would not be right for us to proceed on the basis of inadequate information. There is a great deal of anecdotal information, of which I do not doubt the importance or strength, but that is not sufficient evidence. I have already ordered a survey of such statistical material as the Home Office has to see whether we can get this information.

In response to the powerful arguments of my hon. Friend the Member for Uxbridge, I am prepared to say that, for a six-month period from 1 June this year, we shall conduct a survey of all court sentences on this offence to see how many involve policemen and policewomen and how many lead to sentences of imprisonment. Then, if we find that the situation is not as we want, we shall have to take action—I echo the views of my hon. and learned Friend and of the hon. Member for Huddersfield (Mr. Sheerman).

As soon as the figures are available, we shall conduct a survey, and I shall make the figures available to the House. I hope that, with that undertaking, my hon. Friend the Member for Uxbridge will not push the new clause to a Division.

Mr. Lawrence: Will my right hon. Friend give way?

Mr. Deputy Speaker: Order. The Minister has resumed his seat.

Mr. Shersby: I thank the House and all hon. Members who have contributed to this useful debate. In particular, I thank my right hon. Friend the Minister for the assurance that he will conduct a survey. I gave a figure of 20,000 assaults on police, many of them occasioning actual bodily harm, and I am certain that the Police Federation and the other police staff associations will be pleased to co-operate with the Home Office in carrying out the survey to validate those figures and to pinpoint how many of them fall in that category.

The Police Federation, in advance of the debate, asked the secretaries of the joint branch boards of the 43 police forces in England and Wales for information about the number of cases where a custodial sentence was not awarded. I was alarmed at the information that came back to me, which showed that custodial sentences have not been awarded in quite serious cases. That is why the offer of a survey is valuable; it will enable the House to have at its disposal figures which are incontrovertible.

I hope that my right hon. Friend will lose no time in coming back to the House, when he has the evidence, with proposals to deal with the problem. I am sure he knows that Greater Manchester police have already set up a survey and monitoring procedure of their own; that was announced by Sir James Anderton recently. I hope that my right hon. Friend will draw upon the information gathered by Greater Manchester.

In the light of what the Minister has said and the contributions of other hon. Members, including the hon. Member for Huddersfield, who rightly pointed out that we need to examine the problems faced by the police in modern society, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

6.30 pm

Mr. Lawrence: On a point of order, Mr. Deputy Speaker. I am sure that you would want me to tell the House that when, in the course of my speech, I said that someone had stolen "Current Sentencing Practice" from the Library, I appear to have been mistaken. I should not like to cast aspersions upon anybody who has anything to do with the House of Commons Library.

I have a note from the Librarian to say that the book has been returned. That means, first, that there was never any intention to deprive the owner permanently thereof, and therefore it cannot have been theft; and, secondly, that there is more to be said for televising the proceedings of the House than I had thought.

Mr. Deputy Speaker: I am very relieved to hear that honour has been restored.

New Clause 2

IMPRISONMENT OF FINE DEFAULTERS

'(1) A magistrates' court may not issue a warrant of commitment for a default in paying any sum adjudged to be paid by the conviction unless it is of the opinion that it would be—

(a) impracticable to enforce payment of the sum by a warrant of distress or an attachment of earnings order or an application for deduction of sums from amounts payable to the offender by way of income support; and

(b) inappropriate to enforce payment by any other method.

(2) Where a magistrates' court issues a warrant of commitment for default in paying any sum adjudged to be paid by the conviction, it shall state in open court the reasons for its opinion that it would be impracticable to enforce payment of the sum by a warrant of distress or an attachment of earnings order or an application for the deduction of sums from amounts payable to the offender by way of income support.

(3) A magistrates' court shall cause a reason stated under subsection (2) above to be specified in the warrant of commitment and to be entered in the register.'.—*[Mr. Sheerman.]*

Brought up, and read the First time.

Mr. Deputy Speaker: With this, it will be convenient to discuss new clause 3—*fine default*—

'1(1) Subject to subsection (2) below no court shall have the power to commit to custody any person in respect of the non-payment of all or part of a fine where the offence for which the fine was imposed was itself non-imprisonable.

(2) A court may commit a person to custody for non-payment of all or part of a fine if the court is satisfied that the default is due to the offender's wilful refusal to pay and that there is no other method of dealing with that person.'.

Mr. Sheerman: I beg to move, That the clause be read a Second time.

New clauses 2 and 3 aim to prohibit the imprisonment of fine defaulters except where other methods of enforcement are impracticable. Many of us who are interested in criminal justice reform will have read our Dickens and will have been impressed by the ghastly conditions of debtors' prisons. Some of us thought that they had long since disappeared from British society, but a large number of people are still sent to prison because of failure to pay their fines.

New clause 2 requires any court imprisoning a fine defaulter to state its reasons for believing that it is impracticable to enforce the fine by attaching earnings, attaching income support or the distraint of goods. The aim of the new clause is to eliminate the imprisonment of fine defaulters except where it is genuinely impracticable to obtain payment.

Evidence shows that far too many people are not given the fullest opportunity to pay. More than a fifth of the people sent to prison each year in England and Wales are there because of non-payment of fines. That means that a great many people are sentenced for offences other than violence or other serious crimes. Of course, we want those who are guilty of sexual offences or of violence to be sent to prison, but do we want our prisons to be full of people who default on fines? Are there not better ways to ensure that people pay their fines?

In 1989, a total of 16,985 people were imprisoned for fine default. The fines had been imposed for a wide range of offences, the largest category being motoring offences. That is astonishing. Of those fined for motoring offences, 4,581 who did not pay the fines finished up in prison. The number sent to prison for theft and fraud was 3,865. In 1989, 22 per cent. of all offenders entering prison and 40 per cent. of those given sentences of six months or less were there for fine default.

Let us imagine what that does to the prison system, which clogs up with people who should never have been in prison in the first place. Those people have to be admitted, processed and looked after, which involves a great deal of administration. Because most sentences for fine default are short, defaulters represent just 1·3 per cent. of the average daily population of sentenced prisoners and 11·4 per cent. of those serving six months or less. That puts the matter in perspective.

However, even a small proportion of fine defaulters can cause serious problems for a hard-pressed prison system, especially since the strain is felt most in local prisons where overcrowding is greatest. Those of us, like the Minister of State, who have been to Armley, Strangeways and other local prisons know the pressure on them. We should be taking whatever pressure we can off them.

We are still waiting for the Woolf report on the investigation into the Strangeways disturbance. We hope to have it before the Bill goes to another place. Before we even see that report, we know that if we could have taken some pressure off Strangeways and other local prisons by getting fine defaulters out of prison, we would have done a thorough job in keeping out of prison people who should never have been there and in taking pressure off a prison system which is near breaking point, especially when we think of the work involved in the reception of 17,000 prisoners, regardless of each prisoner's length of stay in the establishment.

Two important provisions in the Bill could bring about a great reduction in the number of imprisoned fine defaulters. The first is the unit fine system which, by tailoring fines in proportion to an offender's income, should reduce the number of unrealistically high fines imposed on poor offenders. We have been campaigning for that for many years, and at last we have got it. It is common sense that people should pay a proportion of their income and that that proportion should be fair.

The second provision will enable fines to be deducted from income support payments. Since it is estimated by the Home Office that 90 per cent. of imprisoned fine defaulters are unemployed, that should provide a practical alternative to imprisonment in many cases. Because courts will be able to attach earnings or income support and to distrain goods, it should rarely be necessary to resort to

[Mr. Sheerman]

imprisonment. The new clauses would help ensure that courts use wide-ranging enforcement powers to obtain payment instead of imposing imprisonment.

The new clauses would add to the provisions in the Bill. They deserve sympathetic consideration by the Government. When they were debated in Committee the Minister of State said:

"Attachment of earnings and the attachment of social security payments—a reform that has been welcomed widely—will make it possible for people to avoid imprisonment. If they are not satisfied, magistrates do not have to commit people to prison".

He concluded:

"Although the introduction of the new clause is well intentioned, it is unnecessary".—*[Official Report, Standing Committee A*, 7 February 1991; cc. 735-6.]

Those comments miss the point. Giving the courts a range of powers to enforce fines does not guarantee that they will always use them when it is appropriate. At present, the readiness of courts to use their enforcement options varies greatly. Research into four magistrates courts by the Vera Institute of Justice, published in 1986 under the title "The Enforcement of Fines as Criminal Sanctions", found that "courts rarely exhaust the enforcement options available to them before they resort either to the most coercive (and most costly) enforcement device—a committal to prison—or to writing off the fine as uncollectable."

More recently, the result of research at one arrears court by Drs. Allison Morris and Lorraine Gelsthorpe was published in *The Magistrate* in October 1990. Those academics wrote:

"From an examination of the outcomes, it is clear that certain powers of enforcement were rarely used: there was only one money payment supervision order even though a number of defendants seemed to have severe personal difficulties. And there was only one attachment of earnings order made yet more than half . . . of the men interviewed were employed at the time of this hearing. In few cases was the question of an attachment of earnings order even raised".

It seems that those powers could be used more widely, "particularly where a suspended committal is used as a substitute method of enforcement . . . The arrears court we attended relied more heavily on the use of suspended committals than many of its other enforcement powers."

If that is the case—the evidence that we have quoted is, I think, both respectable and thorough—the Minister should accept the new clause. That would have a major effect on our prison system, and would ensure an end to the Dickensian situation to which I referred earlier. Many hon. Members have incurred fines for speeding——

Mr. John Patten: Name them.

Mr. Sheerman: Hon. Members on both sides of the House have been fined recently. Such people should not end up in prison, and the new clause would ensure that they did not.

The report in *The Magistrate* concluded:

"Arrears courts should perhaps be obliged to show that they have used all other powers available to them before resorting to suspended committals."

The discipline of having to give reasons in the form required by the new clause would help to focus the attention of the courts on the alternative enforcement methods available, and to reduce the chances of defaulters being imprisoned unnecessarily. The Bill requires courts to give reasons for imposing custodial sentences, but does not require them to do so when imprisoning offenders for default. However, the arguments for such a requirement in default cases are equally strong. In that area of decision-making, as in others, a requirement to give reasons would usefully concentrate sentencers' minds, and would structure their decisions.

We do not consider our proposals highly political, except in the sense that it is a stain on our society that so many prisoners should come into contact with far more serious offenders, and with a prison culture that may introduce them to what has been described as a university of crime. It must be wrong to send fine defaulters to prison to perpetuate the system of debtors' prisons in modern Britain. We hope that the Government will see what a dramatic change our proposals could make.

6.45 pm

Mr. Barry Porter (Wirral, South): I came here to listen, and I have listened with interest to much of what has been said; I had no intention of speaking, but having heard the remarks of the hon. Member for Huddersfield (Mr. Sheerman) I am prompted to express the hope that he will occasionally attend a court rather than listening to academics talking about them.

In this country, it is extremely difficult to be sent to prison—people have to work at it rather hard. I have spent a large part of my life defending the undefendable, and sometimes the indefensible, and I know how the system works. A person may describe, with tears in his eyes, being convicted for a motoring offence and thereafter sent to prison, but it is not like that at all. A chap who has been driving without insurance or without a licence, for instance, will be fined a couple of hundred pounds on the unit system, which has in practice been working for years. Magistrates do not fine people who are on social security—or whatever it is called nowadays—more than a man earning £10,000 per year.

The motoring offender is then fined £200 for various offences and, on the advice of people like myself, offers to pay £2 per week. The magistrate will tell him to pay £3 a week—or, in the case of a particularly hard bench, £4. The offender will tell me—or, perhaps, my hon. Friend the Member for Ynys Môn (Mr. Jones)—that he cannot pay, whereupon we will say, "Have a go, and come back in three weeks." We will then make an application to have the order varied.

The magistrates will vary the order to £2 or £3 a week. If the offender still does not pay, he will be brought back to an arrears court, where he will say, "£2 is all that I can pay." A suspended committal follows—rather harsh, at that stage.

It does not often happen in that way, however. In my experience, and in that of anyone who practises in the courts, magistrates go to vast lengths to ensure that the weekly amount can be paid; only a fool, or someone who is determined not to obey the order of the court, will end up in prison. People may talk of a university of crime, but these are offenders who will go down for 14 or 30 days. I have known people to choose that option, because it is cheaper and relatively pleasant—in their experience—to spend time in Walton prison in Liverpool, and they would rather do that than pay up.

The hon. Member for Huddersfield suggests that there is a Dickensian state of affairs in which people are sent to prison for debt. That state of affairs does not exist. Nowadays, if people go to prison for not paying fines, it is

because they choose to—every magistrates court in my experience has given people every possible opportunity to avoid that. The new clause is a waste of time.

Mr. Maclennan: I did not have the privilege of serving on the Standing Committee, but I enjoyed reading the speeches, especially those made by the hon. Member for Huddersfield (Mr. Sheerman). He made a notable contribution to the Committee proceedings, and has done the same today. As I agree with every word that he has said, I need not speak at length this evening. It is sometimes pleasant to express satisfaction with an identity of view across the parties, and to put aside the partisan feelings that too often divide us.

No doubt the anecdotal evidence presented by the hon. Member for Wirral, South (Mr. Porter) is true of many individual cases with which he has been associated, but he did not attempt to argue against the statistical evidence regarding the people who end up in prison for defaulting on fines. The hon. Gentleman said that for some people it was cheaper to go to prison than to pay a fine. That is no reason why society should accept their choice if there is another way of dealing with the problem. It is more expensive for society to imprison people, and if we can possibly keep those people out of prison, that must be our objective.

Mr. Porter: They will never pay.

Mr. Maclennan: There may be an irreducible number of people who will not pay. I understand that in a number of Scandinavian countries it is not possible to send people to prison for fine default. Experience in those countries is not such as to suggest that we should lightly cast these new clauses aside. In the light of some of the arguments that the Minister deployed in Committee, I believe that, strictly speaking, the new clauses may not be necessary. However, they are desirable. What is particularly desirable is the requirement that the reasons for not adopting the alternative methods of ensuring the payment of fines should be given. The requirement to give reasons could very well alter practices which fall short of the Government's clear intention that incarceration should be avoided in all but the most serious cases.

Mr. John Patten: It is always good to hear people speak from experience. My hon. Friend the Member for Wirral, South (Mr. Porter), whom I am happy to see on the Front Bench now, gave us the benefit of his quarter century's practice in the courts. He and the hon. Member for Ynys Môn (Mr. Jones) have seen some of these things at first hand in the area where they both practise. I enjoyed the company of the hon. Member for Ynys Môn on the Standing Committee, and felt very uneasy that the hon. Member for Caithness and Sutherland (Mr. Maclennan) was not there. Taking a criminal justice measure through its stages is not the same without the presence of the hon. Gentleman. However, we have heard him today.

I should be right behind much of what has been said by the hon. Member for Huddersfield (Mr. Sheerman), and would suggest that his new clauses be accepted, were it not for changes made in other parts of the Bill. We are introducing unit fines and income support attachments, which I believe make these new clauses unnecessary. None of us wants to see fine defaulters committed to prison unnecessarily. The number of people committed for default went down steadily during the 1980s. The average time a male defaulter spends in prison is now eight days, and in the case of a women it is six days. These periods are considerably shorter than those which applied in the Dickensian England conjured up by the hon. Member for Huddersfield. Indeed, the length of time that a fine defaulter now spends in gaol is half what it was a decade ago. As my hon. Friend the Member for Wiral, South said, it now quite hard to go to prison unless one really wants to.

Under the Bill, because of the introduction of unit fines and income support deductions, the number of people in prison should fall quite rapidly. In saying that, one is not crying in the wind. Unit fine scheme experiments conducted in four areas—one in Wales, and the other three in England—indicate that the number of people imprisoned for fine default fell quite sharply. Thanks to the radical changes that the Bill makes—changes which have been widely welcomed—I believe that that trend will continue. That being so, I cannot recommend that the House should accept the new clauses.

Mr. Sheerman: I was interested in the comments of the hon. Member for Wiral, South (Mr. Porter). It seems that, after all those years in the courts, he is rather cynical. It is a pity that he is unable to take a fresh look at the situation —especially at the figures and at the research material that I quoted. As I have said, a large number of people are ending up in prison for the non-payment of fines. The Minister agrees that they should not be there. It is in a positive spirit that Her Majesty's Opposition are trying to improve the Bill.

Mr. Patten: What about unit fines?

Mr. Sheerman: We understand unit fines. Indeed, for years we have campaigned for them. We also understand social security payment attachments. All of that is indeed good stuff, but our new clauses, with the other changes, would create a system which would to a large extent clear out of our prisons people who had not paid fines. That would be a very positive step.

I was grateful for the kind words of the hon. Member for Caithness and Sutherland (Mr. Maclennan). It is good to know that he and I agree on this. We have here an opportunity to get away from a Dickensian situation. Whatever may be said, many of our prisons have conditions very similar to, if not worse than, those that Dickens described. Even if people choose to go to prison for seven or 10 days, or however long, imprisonment for this kind of offence cannot be right, and we want to stop it. The new clauses, with the other changes made by the Bill, would help to achieve that.

The hon. Member for Caithness and Sutherland made an excellent point when he talked about people choosing to go to prison. I understand that some people on low incomes who get into debt might choose to go to prison for five or 10 days as a means of wiping out the debt. As a society, however, we ought not to provide that option unless everything else has been tried. Only when all other measures, such as attachment of earnings or of social security payments, have been exhausted should the court reluctantly choose a short term of imprisonment. That is all that the new clauses seek to achieve.

Mr. Lawrence: As that is what happens already, is there any basis for the new clauses?

Mr. Sheerman: Every year, under the present system, 17,000 people are sent to prison for short terms. If the hon. and learned Gentleman had been in the House earlier, he would have heard the research evidence that I quoted. That research shows that magistrates do not use their powers. Under the new clauses, magistrates would be directed to go through all other processes before imposing terms of imprisonment. I should have thought that that very simple proposal would be acceptable to any reasonable Member. We shall reluctantly press the new clauses to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 204, Noes 300.

Division No. 71] **[7 pm**

AYES

Abbott, Ms Diane
Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKelvey, William
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Allen McKay and
Mr. Ken Eastham.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beggs, Roy
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*

Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt. Hon. David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Maginnis, Ken
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mellor, Rt Hon David
Meyer, Sir Anthony
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trimble, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

New Clause 4

RACIAL DISCRIMINATION

'—(1) The Secretary of State shall in each year publish such information as he considers expedient for the purpose of enabling persons engaged in the administration of criminal justice to become aware of the implications of their decisions on the elimination of racial discrimination.

(2) Publication under subsection (1) above shall be effected in such manner as the Secretary of State considers appropriate for the purpose of bringing the information to the attention of the persons concerned.'.—*[Mr. Hattersley.]*

Brought up, and read the First time.

Mr. Roy Hattersley (Birmingham, Sparkbrook): I beg to move, That the clause be read a Second time.

Labour Members accept that there is no dispute across the Dispatch Box about the principle that we hope to demonstrate and enshrine in law. The Government may not wish to follow the course that we propose, but we accept without reservation that they, no less than the Opposition, want to ensure that courts take decisions free from racial prejudice and without even a hint of discrimination. Indeed, paragraph 1.16 of the White Paper says:

"There must be no discrimination because of a defendant's race, nationality, standing in the community or any other reason."

I repeat that I know that the Government want to pursue that principle.

I think that I can say without undue contention that we want to pursue that principle more effectively and actively than the Government seem prepared to do. I hope that it

[Mr. Roy Hattersley]

can be pursued by a statement in law requiring courts to operate in a way that is non-discriminatory or prejudicial to any race or group.

The amendment that would have effected that proposition has not been called, but the principle underlying our intention is in new clause 4, which seeks to provide authoritative, undisputed and indisputable information on the way in which courts behave, in the belief that, if evidence showed prejudice or discrimination in the judicial system, the Government would act on it, or perhaps before they did so the courts would say, "The fears are justified, so we must mend our ways in advance of legislation."

7.15 pm

I have little doubt that the operation of the courts is such that black and Asian British people are more likely to receive a custodial sentence than their white counterparts convicted of equivalent or identical crimes. Almost all the evidence points to that conclusion. In 1985, 12·5 per cent. of our prison population came from ethnic minorities. In 1989, 16 per cent. of the prison population were black and Asian British. The figures for women were 24 per cent. in 1985 and 29 per cent. in 1989. However, only 5 per cent. of the population are black and Asian British.

It is theoretically possible to argue that black and Asian British people are imprisoned more than their proportion of the population would warrant simply because they offend more frequently and seriously and therefore incur custodial sentences more frequently than their white contemporaries, but none of the evidence supports that. A Home Office survey found no discrimination in sentencing policy, but it certainly did not confirm the view that black and Asian British people go to prison more frequently because they commit more offences or because they commit more serious offences.

Members of the ethnic minorities entering prison have, on average, fewer previous convictions than their white counterparts. They are substantially less likely to be remanded on bail than their white counterparts; but, having been remanded, they are much more likely to be acquitted of all offences than their white counterparts. None of the evidence suggests that they commit crimes more frequently, but most of it suggests that they suffer from discrimination.

I do not know whether that discrimination stems from the behaviour of juries or of judges, or whether it is overt or unconscious. I know only that the evidence of the statistics—I shall either entertain or bore the House with more of them later—is that ethnic minorities are more likely to be sent to prison without due cause than their white contemporaries.

A Home Office study, "Sentencing Practice in the Crown Courts", found that there was no racial discrimination in sentencing. Since 1988, other studies on wider statistical bases reached the opposite conclusion. A study by West Yorkshire probation service found that 32 per cent. of white offenders, 44 per cent. of Afro-Caribbean offenders and 45 per cent. of Asian offenders were sent to prison for similar offences.

The Middlesex probation service took an enormous sample of 8,000 men and women who were convicted and sentenced in Greater London. It found that, on conviction for assault, 50 per cent. of white defendants were given custodial sentences, whereas 75 per cent. of black and Asian defendants were similarly sentenced. For burglary, 49 per cent. of white offenders were imprisoned, whereas the figure for black and Asian defendants was 64 per cent.

Whatever else one might say about that evidence, it is impossible to disagree with the contention that there is a potential problem. No one reading those statistics could say, "There is no problem." Some people might say that it is not as great as the statistics suggest, or they may dispute the causes. New clause 4 is a modest attempt to deal with the problem. It simply asks for monitoring of statistics, which would enable us to be aware of the extent of the problem.

I have no doubt that, were this Home Secretary in particular to judge that there was discrimination in sentencing, he would want to move against it. I look forward to hearing an explanation, but I am baffled as to why the Government oppose this course.

Our great hope was that the Government would be in favour of a much more progressive point of view—enshrining in law the obligation of the courts to act in a non-discriminatory and non-prejudicial way. That was the subject of an argument between the previous Home Secretary, Lord Waddington, and me on Second Reading. I told him that I believed that the Home Office had prepared new clauses that would put this idea into effect, but Lord Waddington insisted that that was not so. He agreed that the Home Office had considered that possibility and discussed it with a variety of organisations, but said that it had not been able to provide an adequate new clause to give that effect.

We provided such a new clause—unfortunately, we cannot debate it tonight—and the Minister of State said:

"I shall look sympathetically at the proposal."

The Minister went further, and said:

"It is likely that further consideration will persuade me of the merits of the new clause."—*[Official Report, Standing Committee A*, 6 December 1990; c. 92-103.]

We shall never know whether that further consideration would have persuaded the right hon. Gentleman of the merits, because we cannot move the new clause. If he were as good as his word and were prepared to go all the way and accept a new clause that specified that courts must not behave in a prejudiced or discriminatory manner, I cannot imagine that he would not go halfway and agree to a new clause that provided the statistics that would enable us to know whether courts behave in that way.

At column 94 of the Committee *Hansard*, the Minister again expressed his sympathy for that view. He gave my colleagues the impression—perhaps they misjudged him—that he would support the measure. Perhaps what we read in the newspapers is wrong and the Minister intends to support it.

If this measure does not become law, there will be two results. According to the evidence, there will be a continuation of sentencing policy which means that a black or Asian British citizen is more likely—at least in some courts—to go to prison than his white counterpart. There will also be a deep, and in my view justified, suspicion among the black and Asian British that, although there may be statements of good intentions about their being citizens with equal rights who must be treated identically to everyone else, when the time comes to put those good intentions into force, the "establishment" flinches and does not take the necessary steps. I use the

word "establishment" because no one will doubt that, if the Government resist the new clause, in a sense they will be resisting it on behalf of the judiciary.

Sir Antony Buck (Colchester, North): I am listening carefully to the right hon. Gentleman. What information does he think it is expedient to provide to enable those purposes to be fulfilled? I do not know what he wants published. I can think only of publication of information that would exacerbate racial prejudice, rather than the reverse.

Mr. Hattersley: There should be publication of the type of information obtained in individual court areas and probation areas by reputable statistical methods, but that information has not been comprehensive.

In the Middlesex probation area, 49 per cent. of white defendants go to prison for burglary offences, compared with 64 per cent. of black and Asian defendants. Such information should be available for the whole country. As we said when we argued for a sentencing council, since much discrimination is unintentional, if those presiding over one court discovered from the evidence provided by the Home Office statistics that they were discriminating against Asian or black citizens, they would cease to do so.

We all know that much of the discrimination faced by the black and Asian British is not intentional in the sense that a magistrate says, "This man is black, therefore he is wicked. I shall send him to prison." There is a general aura of discrimination, and a prejudicial act takes place without magistrates knowing that they are behaving in a prejudicial way. If we draw that to the attention of decent people—I am sure that most magistrates and justices are decent people—they would want to rectify the situation. That is our intention.

Mr. Janman: If the right hon. Gentleman's assumptions about the statistics are correct and those statistics were produced, would he want the more liberal sentences given to the whites increased or would he want the harsher sentences given to the blacks and browns decreased? The right hon. Gentleman would have to choose one or the other.

Mr. Hattersley: It is not a question whether my assumptions are correct; it is a matter of my figures, which are correct. The hon. Gentleman can draw what assumptions he likes from the figures, but they are not in dispute.

My answer to the question put by the hon. Member for Thurrock (Mr. Janman), which I have a sneaking suspicion he thought was a trick, is the answer that the Government and the Opposition would give: there are some crimes, the most severe ones, for which severe sentences are appropriate; there are other crimes, the less severe ones, for which custodial sentences are not appropriate. As the hon. Gentleman must know if he thinks for a moment, it is not possible for anyone who wants to deal seriously with these matters to say, "I want the severity of all sentences increased," or, "I want the severity of all sentences decreased." That is not a serious question. If the hon. Gentleman has a serious question to ask me, I shall give way to him.

Mr. Janman: I am grateful to the right hon. Gentleman. With the greatest respect, this is a serious point. I am not talking about different offences. I am saying that for any one given offence—the right hon. Gentleman mentioned burglary—if the assumption behind the statistics is correct, to have consistency irrespective of colour, either those who are sentenced to short sentences because they are white should have their sentences increased across the board, or vice versa for non-white people. The right hon. Gentleman cannot have it both ways. He is drawing broad conclusions from statistics. He says that one must draw a conclusion either way as to which sentences will be increased and which will not. He cannot have it both ways.

Mr. Hattersley: I do not want to detain the House much longer, but I shall try to explain the position. I do not know the length of the sentences of those men and women sent to prison; I know the facts of their sentences. I shall give the hon. Gentleman the same example that I have given him twice. We know that, in the Middlesex probation area, 49 per cent. of the whites convicted of burglary went to prison, compared with 64 per cent. of black and Asian citizens. I do not know for how long they went to prison. Can anyone argue that that inconsistency is right? Some of the white defendants who went to prison may have been sentenced for too long or for too short a time. Perhaps the same happened to the blacks. I am asking for equal treatment of the races. I do not know how one can possibly argue against that, but I shall let the hon. Member for Thurrock try.

Mr. Janman: I am grateful to the right hon. Gentleman for his clarification. I admit that I slightly misunderstood what he said, but my logic still applies, albeit on a slightly different point. Once the statistics were published, would the right hon. Gentleman conclude that more white offenders who committed burglaries should be sent to prison or that fewer black or brown offenders committing burglaries should be sent to prison?

Mr. Hattersley: The only way in which criminal justice can work is by allowing judges discretion. Most judges will want to exercise that discretion in a non-prejudiced and non-racial way. By giving them these statistics, we shall enable them to do that. We are doing no more and no less than that. I say "no less" because this measure is vital, for two reasons. It is vital for some individuals who would not be in prison if they were white. It is important in terms of the human feelings, obligations and decency towards individual cases. It is vital also in terms of the declaration that the House makes.

I repeat that I have no doubt that the Government's intentions are little different from the Opposition's intentions in this particular. However, very often in such matters, it is not intentions that matter most, but putting those intentions into practical effect. That is what the new clause will do, and I hope that the Government will accept it.

7.30 pm

Mr. Lawrence: What the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said about his justification for the new clause is a serious allegation against the judiciary and is utterly without foundation. I have been practising in courts for 29 years——

Mr. Alun Michael (Cardiff, South and Penarth): Good God.

Mr. Lawrence: I do not know the age of the hon. Member for Cardiff, South and Penarth (Mr. Michael),

[Mr. Lawrence]

who said "Good God" with some disbelief. I do not suppose that he has been practising in our courts for 29 years.

Mr. Michael: As the hon. and learned Gentleman seems to have an interest in the matter, I am 47. I was a magistrate from 1971 until entering this place. I also worked in a community that had a considerable mix of ethnic minorities and I know how well-founded are the remarks of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley).

Mr. Lawrence: If there is any merit in what the hon. Gentleman says, he must have worked in one of the few disgraceful courts in this country. My experience—I repeat that it is pretty considerable, not only in higher courts but in magistrates courts—is that there is no basis whatsoever in the allegation that members of our judiciary make decisions according to racial bias.

Mr. Hattersley: It is the hon. and learned Gentleman's habit to proceed by assertion, but, looking at the figures that I have given, to what does he attribute the vast discrepancy in sentencing within ethnic groups?

Mr. Lawrence: I shall refer to that matter in a moment. *[Interruption.]* I shall refer to it.

We have had consistent criticism—I do not mean from Opposition Members, although it may include some of them—that our judiciary is middle-class white. It is my experience that, if anything, middle-class intellectuals are so careful of not being thought to be biased or not allowing themselves to be biased in any way against blacks, browns or any under-privileged group in our society that they have a propensity to reduce—*[Interruption.]* I am answering the point that was made by the right hon. Gentleman, but he is busy talking. I do not mean that the right hon. Gentleman is showing any discourtesy, but it is an important matter. He asked me a question and I shall proceed to answer it.

I do not doubt for a moment that the right hon. Gentleman's statistics are presented by certain organisations. By that I mean no discredit to such organisations, but I have no doubt that the purpose of their research is to see whether they can establish some kind of racial discrimination. However, one of those statistics shows that more black or brown people are kept in custody on remand than whites. There is a perfectly logical and factual explanation for that, and it has nothing to do with racial bias.

When considering bail for burglary or a serious offence such as assault in particular, a judge must consider whether the accused is likely to turn up for his trial. The judge must consider whether the person has a fixed address, whether he is in work and whether he can provide a surety. The unfortunate fact—again this point is often made by the right hon. Gentleman in home affairs debates, and nobody deplores it more than I do—is that there are areas in which there is high unemployment for black people. That may be discriminatory; I do not doubt it. However, I challenge the allegation that there is discrimination by the judiciary. Being unemployed, having no fixed address and not having people to be sureties—in other words, not being able to conform with the statutory requirements for the granting or refusal of bail—have nothing to do with racial discrimination by the courts. However, they have everything to do with the fact that the necessary requirements, which must be satisfied before a court grants bail for any serious offences, are not complied with. That may be through no fault of the person involved, but because of circumstances which, if there were any other rule, would make the pursuance of justice impracticable. That explains at least one of the statistics.

I now give the right hon. Gentleman an anecdote. I recall having trouble from time to time considering what is the appropriate sentence for coloured people—I include black and brown people—who have been unco-operative with their probation officers. They are remanded to see the probation service and, for whatever reason—there may be many—they are unco-operative. The probation service wants to ask them questions that they do not want to answer. It is very difficult for a sentencer who has in mind doing something with the offender that will stop him going to prison for however short a period if that person is totally unco-operative with the one person who can help him—the probation officer.

I recall several cases in which people who are not white have made matters much worse for themselves because they will not co-operate with their probation officer. We are talking only about differences between reasonably small percentage points, even given the fact that those figures are accurate and explain something.

The implication of what the right hon. Gentleman says is that there is some deep-rooted racism in our judiciary which causes judges to sentence coloured people more harshly or to sentence them to prison, when that is necessary. But that cannot happen accidentally. It must be deliberate discrimination. It is the judge saying, "This man is black or brown, so I must treat him harshly". If this is what happens—and I believe that there would have to be deliberate discrimination in our courts—what on earth is the use of a new clause that requires information to be given to sentencers so that they should be aware of the implications of their decisions on the elimination of racial discrimination? That could be justified only on the basis that such discrimination is inadvertent, that it happens accidentally and that, if only those wicked sentencers knew a bit more about the implications of their decisions, they would refrain from doing so. I cannot see that that can possibly be so. The new clause would have no effect at all.

I quite understand that raising the point gives the right hon. Gentleman the credit for drawing attention again in this great Chamber of Parliament to the wicked state of society in which our judiciary and others are racially discriminatory. However, the new clause would actually achieve nothing. Discrimination in our courts cannot be accidental. It must be deliberate and those who are deliberately discriminating would not pay two minutes' attention to any such information.

I make that point merely on the basis that the right hon. Gentleman is right to say that there is such discrimination. But I utterly reject it from my experience. It is not true. It does not happen. The right hon. Gentleman is raising a myth, not a fact. He should not be supported on a new clause that gives effect to a myth.

Mr. Archer: At the risk of shocking some of my hon. Friends, I regret that the hon. and learned Member for Burton (Mr. Lawrence) did not serve with us in Committee. Had he done so, he might well have made a speech disagreeing with my right hon. Friend the Member

for Birmingham, Sparkbrook (Mr. Hattersley), but I do not think that he would have made the speech that he has just made, and I do not believe that we shall hear such a speech from the Minister. It is true that the Minister rejected our proposals in Committee largely, as I understood it, because he does not believe in "declarations" in legislation, which we were then proposing. I have a great deal of sympathy with that point of view. Declarations do not often help very much, but they are not what we are now proposing.

We are now proposing to start from two propositions which I hope command universal support in the House. The first is that everyone should be equal before the law. The second is that that is manifestly not the case at the moment. On any showing, if people from ethnic minorities represent 5 per cent. of the general population and 16 per cent. of the prison population, those figures cannot be dismissed as a possible margin of error or as statistical flexibility. They must compel us to look for the reason for the difference.

The hon. Member for Thurrock (Mr. Janman) asked my right hon. Friend the Member for Sparkbrook, "If we discover that there is some kind of discrepancy, what do we do? Do we sentence black people more lightly or white people more heavily?" No, we should ask ourselves the reason for the discrepancy. That is all that the Opposition are seeking.

Several reasons have been suggested. One was explored by my right hon. Friend the Member for Sparkbrook a moment ago and was raised in Committee when we were asked whether black people commit more offences than white people or whether they commit more offences of a particular kind. The answer is no, for the reason that my right hon. Friend gave. People from the ethnic minorities who receive custodial sentences have fewer previous convictions than people from the white majority. However, supposing that that were the reason, should it not make us want to know the reason, in turn, for that? Should we not want to know the factors which make it happen? Supposing black people do commit more offences —if young people from the minority groups are unemployed, it is possible that in some areas they are short of money, have time on their hands and a chip on their shoulder because they are unemployed, and those are all factors which might lead people to commit more offences, but we know that that is not the explanation.

In a throwaway line, my right hon. Friend the Member for Sparkbrook asked whether juries are discriminatory. That is not the answer either, because we are considering the proportion of convicted people, which is where the discrepancy arises.

The hon. and learned Member for Burton said that we are saying that there is conscious discrimination by the courts. I have never heard my right hon. Friend say that, I have never said it, and I do not believe it to be the case.

Mr. Lawrence: That was the implication.

Mr. Archer: No, my right hon. Friend did not imply that.

Mr. Lawrence: I am grateful to the right hon. and learned Gentleman for giving me an opportunity to clarify the point. I was saying that, in our society, discrimination has to be deliberate—[HON. MEMBERS: "No."] It has to be deliberate for a judge to discriminate because he, above all others, must hold the scales of justice equal. He is trained to do that, and that is why he has been appointed. He is experienced in doing that, and that is why he has the respect of his peers. If there is any discrimination, the judge will know about it, and it will be deliberate. That was the point that I was trying to make.

7.45 pm

Mr. Archer: There are two reasons why the hon. and learned Gentleman is wrong, but I begin by declaring an interest. Some of my best friends are judges— *[Interruption.]* That is quite literally true in my case. I have great respect for our judiciary, which I think is probably among the best in the world, but I do not think that our judges and recorders are perfect. From time to time, all of us fall into error.

I should like to give two examples of the traps into which we can all fall. First, we are sometimes guilty of cultural misunderstandings on both sides of the cultural divide. I gave an example in Committee. The hon. and learned Member for Burton may be sitting as a recorder. Before him in the dock is an Afro-Caribbean who is chewing. I do not know the hon. and learned Gentleman's views on chewing, but he might very well think, "This chap is showing disrespect for the court." In fact, the youth may be doing nothing of the sort. He may be behaving perfectly normally and it would not have occurred to him that he might be showing disrespect. If he is told to stop chewing, he will have a stereotypical view of the hon. and learned Gentleman as somebody out of the last century. I make no further comment on that.

There are many cultural misunderstandings. I know members of the judiciary who do not like young men with dreadlocks. That is a failure to meet culturally. The problems are exacerbated when there is a generation divide as well as a cultural divide. However fair we try to be, some of us may have at the back of our minds the thought, "Here is somebody who is not taking his offence seriously and who is not even trying to show respect for the court." In fact, the defendant may be doing no such thing.

My second example is similar, but not quite the same. I refer to the trap of the stereotype. I related in Committee that my wife, who is a magistrate, recently had occasion to read a probation report, one sentence of which read:

> "When I discovered that he was Irish, I inquired whether he had a drink problem."

I am certain that that probation officer was not trying to be difficult and that he or she did not have anything against Irish people. The probation officer was probably trying to be helpful.

Another example can be found in one of the earliest prosecutions under the Race Relations Act 1976. I refer to the Alexander case, in which the discrimination arose from a report written at an early stage in the prison history of the young man concerned, which read:

> "He is an arrogant person who is suspicious of staff and totally anti-authority. He has been described as a violent man with a very large chip on his shoulder which he will find great difficulty in removing. He shows the anti-authoritarian arrogance that seems to be common in most coloured inmates."

I cannot believe that the prison officer who wrote that was consciously being discriminatory. He believed that to be part of the facts of life and of the world in which he lived. If we can learn that such things need putting right, we shall have learnt something worth while.

I hope that the Judicial Studies Board may do something about this problem. My right hon. Friend the

[Mr. Archer]

Member for Sparkbrook was asked who will publish the statistics when we have them. One useful publication would be the bulletin that the Judicial Studies Board circulates to the hon. and learned Member for Burton and myself—because all recorders receive it, as do judges. The bulletin makes us think. A number of useful articles in it have caused me to think about things that I was doing wrong without realising it. I may be mistaken, but I believe that the board is considering what can be done about magistrates in terms of racial awareness.

I do not see why that should not be extended to the judiciary. I do not believe that the judges would feel that their dignity was at stake. If a judge felt that, and felt that he could never be guilty of falling into such traps, he would be saying that he was more perfect than the vast majority of the population. *[Interruption.]* The hon. and learned Member for Burton is muttering. I was about to say to him that there is a third reason that we must examine. It relates to the matter about which he was speaking—periods spent in custody on remand.

In answer to a parliamentary question on 30 October 1987, the Minister of State, Home Office, the right hon. Member for Oxford, West and Abingdon (Mr. Patten) —who, I hope, will be answering the debate—gave a breakdown of people in custody on remand who were subsequently acquitted. Among white defendants, 3·9 per cent. were acquitted. For Chinese, Arab and what the Home Office described as people of mixed origins, the figure was 6·8 per cent. For those from the Indian sub-continent the figure was 7·2 per cent. For Afro-Caribbeans, it was 7·5 per cent.

One factor which may give rise to that difference is homelessness, to which the hon. and learned Member for Burton referred. It is probably true that there is a higher rate of homelessness among the ethnic minorities. That does not mean that we do not have to address the problem. It does not mean that, once we have recognised that, we can go to sleep on it. One thing that could be done is to produce more bail hostels. I fully recognise that the Home Office is trying to do that. When such hostels are produced, we may again need to have regard to ethnic factors, particularly among women prisoners. It seems that a much higher proportion of women from the ethnic minorities spend time on remand in custody. They may need single sex hostels, again because of cultural factors.

Another reason which may lead to fewer coloured people being given bail is that a higher proportion of them may be unemployed. If people are unemployed, their advocate cannot use the argument that if they are taken into custody they stand to lose their job. That is another possible factor.

Lastly, at the risk of repeating what I have said before, if we want to reduce crime—which is the purpose of all our debates on the Bill—we must obtain the confidence and sympathy, not of Members of Parliament or even members of the judiciary, but of peer groups. The strongest factor which influences a young Afro-Caribbean male in a certain area of London to remain within the law is not what the hon. and learned Member for Burton or I may say, but what his peer group thinks. If we can persuade other young Afro-Caribbeans that the law is fair and that we are trying to administer it in an undiscriminatory way, we may capture their approval for what we seek to do. That would be more effective than any other single step that we could take.

If the information for which we ask stimulates us to think—I understand that the Minister approved of that in Committee—the purpose of our debate will have been achieved. That purpose is to reduce crime, and it is a matter in which a little thought can pay many dividends.

Mr. John Patten: It is always a pleasure to follow the right hon. and learned Member for Warley, West (Mr. Archer), whose contributions to these criminal justice debates will be sorely missed when he is no longer a Member of the House. He is right that we need more bail hostels for women. The first one was opened a few weeks ago by the Griffin Society. I was there for the opening. I agree with him, too, that it is important to do more for women who have mental problems and need hostel accommodation and perhaps long-stay care.

I ask the right hon. and learned Member for Warley, West to treat with care the apparent disproportion of women from ethnic minorities who are on remand. If he examines the figures closely, he will find that they include a large number of women who have allegedly carried drugs into the country from west African and other countries and are awaiting trial. That particularly small sample of women on remand is, alas, biased by the large numbers of women who bring in drugs. We hope to put up warning posters at airports in Nigeria and other countries to warn women not to do so and what they will face when they come here.

I entirely agree with what the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said in his introductory remarks. He said that both sides of the House shared the same aim. There is no dispute about that. He gave a fair analysis of the current position and the difficulty of drawing on all the published literature, including that which did not always support his argument. That echoed the long, helpful and constructive discussions that we had in Committee. All the members of the Committee were clear about the need for fairness and the avoidance of discrimination in the criminal justice system. I made clear in those debates the Government's firm commitment to achieving that essential fairness. I shall not repeat it because it would be otiose to do so.

In Committee, I gave a long list of all the fairly recent changes that we have made in the way in which we collect information about ethnic background in the probation service, the prison service and elsewhere. A formidable amount of material is now available. Again, I shall not take the time of the House to itemise it all. It is on the record.

I entirely appreciate the spirit in which new clause 4 was moved. The proposal was discussed in some detail in Committee and I said then that I was sympathetic to it. It is always helpful for people to have good information available which they can use in making their decisions, whether in economics, politics or sentencing. Making information available cannot be a bad thing. I am in favour of more information being available.

Information of the type envisaged by the proposal in new clause 4, including the variation in sentencing patterns, can be instructive. It certainly makes one ask some questions. Whether we are dealing with the ethnic, sex or age breakdown of categories of offenders, we see wide variations in the sentences given. That makes us ask

why the variations occur. There is nothing wrong with having that information available and there is nothing wrong with asking those questions. Such information is useful. The Home Office already publishes a great deal of such information and I can see the merits of pulling together in one publication much of the information that we already publish and issuing it annually so that one does not have to ferret round in probation, prison, police, arrest and other statistics. If the information is available, people can make of it what they want.

Non-discrimination is important. That is why I am broadly in favour of publishing more information. However, I should like to do it in a slightly different way, which the House may like to consider. That is encompassed in the starred Government amendments to clause 77 which will be debated on Monday and will certainly be voted on.

The principle which the Government amendments promote is rather similar to those that underlie new clause 4. We have already said that the cost of sentencing decisions needs to be published every year and that seems to have been widely welcomed. Under the new provisions in the amendments to clause 77, the Home Secretary will be under a duty to publish such information as he or she sees fit on the experience of ethnic minorities in the criminal justice system.

The Government amendments differ from new clause 4 in two important respects. First, they extend the proposed publication of information beyond the issue of race alone to include sex and any other relevant information. That will probably give a wider and more comprehensive picture. Secondly, the amendments make clear the importance of the need to avoid discrimination in the criminal justice system. I have no doubt that any unfair discrimination by those working in the criminal justice system would be unlawful—I agree with my hon. and learned Friend the Member for Burton (Mr. Lawrence) on that.

The legal position is clear and for that reason we see no merit in a provision that puts a duty on sentencers and others not to discriminate. That would add nothing to the present legal position. It is right that a provision in the Bill, as proposed by my right hon. Friend the Secretary of State, should refer to the need for all those involved in the criminal justice system, not just sentencers, to avoid discrimination. That approach will help to ensure the confidence of all sections of the community in the fairness and impartiality of the criminal justice system.

In the light of my remarks and in view of our amendments to clause 77, I hope that the right hon. Member for Sparkbrook will not press new clause 4 to a Division. I hope that he will give a fair wind to our amendments when we vote on them on Monday.

8 pm

Mr. Hattersley: We shall undoubtedly give a fair wind to the amendments on Monday, but just to demonstrate our enthusiasm for them we shall divide the House tonight.

Question put, That the clause be read a Second time:—

The House divided: Ayes 187, Noes 280.

Division No. 72] **[9 pm**

AYES

Abbott, Ms Diane
Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Cousins, Jim
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKelvey, William
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare

Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Allen McKay.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Sir William
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Maginnis, Ken
Malins, Humfrey
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Moore, Rt Hon John
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Page, Richard
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trimble, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

New Clause 5

MINIMUM SENTENCES

'(1) That the minimum sentence for any offender convicted under—

(a) Section 37 Schedule 2 part 1 to the Sexual Offences Act 1956 shall be 10 years.

(b) Sections 16, 17, 18 and 20 of the Firearms Act 1968 and section 10 of the Theft Act 1968 shall be seven years.

(c) Section 8 of the Theft Act 1968 shall be five years.

(d) Section 18 of the Offences Against the Person Act 1861 shall be five years.

(e) Section 9 of the Theft Act 1968 shall be four years.

(f) Section 47 of the Offences Against the Person Act 1861 shall be three years.

(g) Section 7 of the Theft Act 1968 shall be two years.

(2) That the minimum sentences laid down in (e) (f) and (g) shall not necessarily apply to first or second conviction.

(3) That the minimum sentences defined in this section shall apply to section 4(i)(b) of the Criminal Attempts Act 1981.'—*[Mr. Janman.]*

Brought up, and read the First time.

Mr. Janman: I beg to move, That the clause be read a Second time.

Before I speak in support of the new clause, I shall define what it means. You, Mr. Deputy Speaker, will understand that the wording of the new clause, although it does not say much to the layman, is required in order for it to be included in your selection.

8.15 pm

The new clause states that, for some offences, we should start to introduce in Great Britain the concept of minimum sentences. The crimes referred to under subsection (1) include: (a) rape; (b) serious firearms offences involving the intent to use that firearm to injure or conduct criminal activities or while trespassing and for aggravated burglary; (c) robbery; (d) grievous bodily harm; (e) burglary; (f) assault; and (g) theft. Subsection (3) applies the same minimum sentences (a) to (g) to attempts to commit the same offences.

I shall make the case for the concept of minimum sentences, although I admit that the individual sentences that I have proposed for different crimes are merely my subjective opinion and reflect only my opinion and my mood when I sat down and drafted the new clause. I do not think that I was in a particularly harsh mood when I did so. I admit that the minimum sentences that I have proposed may not be perfect and are subjective. The reason for introducing the new clause is that we must now enter uncharted waters in our attempts to satisfy the public that the House is serious about doing something about the ever-increasing wave of crime enveloping this country.

I shall take the liberty of giving examples of crimes of which I have been at the receiving end in the past six months. At the beginning of last September my then wife-to-be had her house burgled. In the same autumn my stepson, as he is now—a 15-year-old schoolboy—and his friend were held up at knife-point by a gang of six black youths. The purpose of the mugging was to take my stepson's jacket away, which was successfully accomplished.

When I arrived at the car park at the port of Newhaven on the night before new year's eve at the end of last year, I found that my car had two front wheels missing. To cut a long story short, the wheels were retrieved. Exactly a month to the day after that incident, the front passenger window of my car was smashed. An attempt had been made to take the phone out of my car. The attempt was unsuccessful, but a considerable amount of damage was caused.

For one family unit, which we became after 29 September last year, to be on the receiving end of four serious—not petty—incidents of criminal activity in less than six months is either a remarkable coincidence or time is catching up with me and I am now suffering because I have not been on the receiving end of much criminal activity for the other 33 years of my life. Perhaps the number of incidents reflects the current state of the nation with regard to law and order and the amount of crime that seriously and adversely affects the daily lives of millions of citizens every year.

Thankfully, the public understand that, however weak the Government are, the Opposition would be, and have consistently been, weaker when in government—I shall make my remarks in that context. We must now, almost out of a sense of frustration, take action that we may not have considered taking before—as my hon. and learned Friend the Member for Burton (Mr. Lawrence) said on new clause 1. We should do so not just out of a sense of frustration, but out of a sense of duty because all reasonable avenues and options must be considered.

I know—we touched on the subject when we debated new clause 1—that not only Opposition Members but Conservative Members have always taken the view that Parliament should not interfere with the flexibility of the judiciary. That view is well entrenched in the minds of many colleagues, but perhaps many of them have not taken time to reconsider or reflect on it as circumstances have changed and the crime rate has increased during our lifetime. However, they should reflect on it. Of course, Parliament interferes with the flexibility of the courts in many ways, the most obvious of which is that the House almost always sets a maximum sentence. If someone is given a term of life imprisonment, life itself is the parameter beyond which the court cannot stray, but for many other crimes the House has told courts that they cannot exceed certain sentences. Therefore, it is quite logical for the House to set minimum parameters for the courts as well.

Sir John Wheeler (Westminster, North): The whole House will have the greatest sympathy with my hon. Friend and his family for the misfortunes that have befallen them. His example of criminality perhaps serves to illustrate how we should redouble our efforts in the analysis and prevention of crime rather than on sentencing the minority of offenders who are apprehended. My hon. Friend's point about interfering with the judiciary is crucial. It is not a question of interfering with the judiciary; it is a question of practicality. My hon. Friend may know that there have been attempts in previous generations to impose minimum sentences with which the courts would have to comply. The result in the jury trial cases to which my hon. Friend refers has been that juries have been confronted by the necessity of deciding, on occasions, whether to convict or to acquit, and they have acquitted if convicting meant that a minimum sentence would have to be imposed. I hope that my hon. Friend will deal with that problem.

Mr. Janman: I am grateful for my hon. Friend's remarks. Of course, we cannot rely on a single panacea to solve the problem of ever-increasing crime. I agree that we should carefully consider how efficiently the considerable resources that we now give to the police are used. Conservative Members tend sometimes to shower praise on our thin blue line a little over-enthusiastically instead of applying to it the critical eye that we apply to all our other nationalised industries. We need to examine how efficiently the police are managed, how they use their resources and how good they are at delivering the results that we expect.

I do not toss aside lightly my hon. Friend's other point, which would involve the House in giving more consideration to how to implement minimum sentences in certain circumstances and for certain offences. Earlier I said that, because my new clause covers several different offences, the suggested minimum sentences may not be practical. Some of them may be too harsh and might exacerbate the problem mentioned by my hon. Friend the Member for Westminster, North (Sir J. Wheeler). Nevertheless, I want to initiate a debate on the idea of minimum sentencing. If we ever adopted the practice there would be many bridges to cross and difficulties to deal with. This House represents the British people and it is our job to identify what is happening in the country and what people think about ever-increasing crime. So it is up to the House, not the unelected judiciary, to decide the broad parameters of sentencing policy.

At some point we must seriously consider having a stab at solving this problem, so that if people carry out certain types of crime they will know that they face a minimum punishment. At present many people commit crimes without the vaguest idea of what may happen to them, and if they had a slightly more accurate view of the punishment that awaited them, some would stop committing crimes.

I have already admitted that some of the minimum sentences that I have suggested may be too harsh—although some of my colleagues may think them too lenient—but the new clause is an attempt to outline my general philosophy. It includes crimes of a fairly serious nature such as assault, burglary and theft, and I have said that I do not think that minimum sentences should necessarily be imposed for first or second convictions. For this middle category of crimes I would not want to deny courts the choice between imposing a severe sentence on and doing nothing to first or second offenders. That part of my new clause, at least, acknowledges the genuine concern expressed by my hon. Friend the Member for Westminster, North.

My right hon. Friend the Minister and I have spoken privately about this subject and I believe that he understands my position. We can argue about what minimum sentences should be. If we impose them, other changes in the law may have to be made. If, for instance, my minimum sentence for rape became law we should need to change the law so that it could differentiate between premeditated and unpremeditated rape. I want a minimum sentence only for premeditated rape—for cases in which it is clear that the accused was not led on or did not misunderstand where the evening was leading. However, if someone jumps out from behind a wall and attacks and rapes a woman whom he has never seen before, motivated only by a wish to inflict great physical harm on her and to rape her against her will, I would have no compunction about legislating to impose a minimum sentence on the offender in question. Whether it should be 10 years or less is a matter for argument.

Neither the House nor the Government can afford to push aside anything that might help in the fight against crime. We need to start re-examining some of our past assumptions. If crime continues to rise, the House will have to set, for some cases, minimum parameters within which the judiciary will have to act.

Mr. Maclennan: The House certainly sympathises with the hon. Member for Thurrock (Mr. Janman) because of the disturbing experience of crime to which he and his family have been subjected. However, I regret that he saw fit to begin his remarks by suggesting that there were profound party differences about how to respond to crime, and that it could be assumed that the response of Opposition parties would be weaker. That kind of partisan attack does nothing to strengthen the response of Parliament to the acute problem to which he has drawn attention. Hon. Members on both sides of the House have different views, and within the hon. Member's own party there are different views on minimum sentences.

8.30 pm

Mr. Janman: The only reason that I gave examples of what had happened to me and to my family was to show what is happening to others, not just to ask for sympathy, although I am grateful to the hon. Member for Caithness and Sutherland (Mr. Maclennan) for extending it to me.

The point that I tried to make about the difference between the Government side of the House and the Opposition side was not about minimum sentences as such; I understand that many Government Members would not agree with me on that. If we look at the Divisions on the Criminal Justice Bill 1988, however, and at the Divisions when we are asked to renew the Prevention of Terrorism (Northern Ireland) Act every two years, we will see the facts. However much I may feel that my own party is not strong enough on law and order, it is consistently and immeasurably stronger than the parties on the Opposition Benches.

Mr. Maclennan: The test of measures that purport to deal with crime is not whether they are weak or strong but whether they are effective or ineffective. The hon. Member for Thurrock has not addressed that at all in promoting his amendment.

There is another issue of principle that we cannot allow to be elided in this debate—the extent to which we want to usurp the judgment of those faced with crimes in the courts about the circumstances of the particular cases before them. Any one of the offences mentioned in the amendment covers a wide range of circumstances, and the gravity of those offences can vary considerably from case to case. It is not something that the House is in a position to judge.

The hon. Member is quite right to say that the House should be concerned both about sentencing and about appropriate sentences; but we cannot foresee the circumstances facing individual judges in individual cases, so it is inappropriate to establish minimum sentences, which to some extent pre-empt the power of the courts to take account of circumstances which may mitigate the offence.

The hon. Member for Thurrock spoke of the House's willingness to accept a maximum sentence, and sought to equate maximum and minimum; but when one sets a maximum, one is limiting the power of the court to deprive individuals of their liberty, and it is proper for the House to seek to do that. It is not at all analogous with the circumstances in which one does precisely the reverse. The House is rightly concerned about the freedom of the subject, and wants to ensure that judges do not overstep the mark.

Measures have been taken by the Government to enable the Attorney-General to seek to reverse too lenient sentences. I have some reservations about the wisdom of that course of action, but I am prepared to wait and see how it operates. It is a rather dangerous step to allow the Court of Appeal to review a sentence without having heard all the evidence before the original sentencer, and this latest move may prove to be a mistake; but I am at least prepared to give it a chance. Nevertheless, I do not believe that the hon. Member for Thurrock has made out a case for departing from the very long established practice of the criminal justice system in not having minimum sentences.

This approach to the amendment of our substantive law on crime shows what is wrong with our ability as a legislature to deal in a rational and coherent way with the framework of our criminal law. Too often we respond to public disquiet about a particular crime by suggesting that the penalty be increased or a new offence introduced, and we do it in isolation from the whole fabric of the criminal law. That is not the right way to proceed.

The Law Commission has produced a draft codification of the criminal law which seeks to relate offences to one another in degree of gravity. If we were to take the hon. Member's objective seriously, which we should, the proper way to proceed would be for the House to take evidence on the proposed codification and to set up a pre-legislative committee to go through the details carefully, measuring the evidence for each offence. What we should not do is bring our subjective judgment to bear on particular offences, as the hon. Member for Thurrock has done, and then trade one off against the other, within the narrow scope of a limited number of offences.

I realise that the hon. Member simply wished to raise the principle of minimum sentences, but his clause goes further and provides a degree of particularity; one is bound to take it at its face value. I welcome the opportunity that he has given us to discuss the matter. It should not go by without comment from anyone on the Opposition side of the House, because Conservative Back Benchers may sometimes reflect thinking that later emerges down the line from the Government Front Bench, and it would be extremely unfortunate if thinking along the lines expressed by the hon. Member for Thurrock tonight were to emerge as the official line of the Conservative party or of the Government.

Mr. Teddy Taylor: I hope that the Government will consider seriously the proposal of my hon. Friend the Member for Thurrock (Mr. Janman), which he presented in a balanced and effective way. I want them to ask themselves whether it would help to curb crime if people had a clearer idea of what was likely to happen to them.

My hon. Friend the Member for Thurrock spoke at great length about his experience. I will mention what happened to me last night. I had a discussion with a young lady who had had no payment from income support for over two weeks. Because she had no money, she explained to me, she had unfortunately had to steal things from shops. The reason for the non-appearance of the money was purely administrative; the payments had been sent to her previous address as the office had not got the new one. What interested me, however, was what she said:

"I don't suppose they could do anything to me in these circumstances."

The Minister may think that this is just a casual case. He has very kindly said that he will ask young people what they think would happen to them if they committed a crime; if he does, he will be rather surprised. At a youth club at which I spoke, the general view was that nothing happened on the first offence and that on the second offence one was likely to be promoted on to one of "those funny schemes". The Minister may think that that is nonsense, but a lot of people think this.

What is the argument against having a civic sentence? We heard it with great clarity from my hon. and learned Friend the Member for Burton (Mr. Lawrence), who said that judges' discretion would be interfered with. It is silly to try to make a principle out of this because, as my hon. and learned Friend said, there is already interference. He explained that there were some tables that gave the courts general guidance as to the most appropriate sentence from which they could depart in special circumstances.

Secondly, the Government have taken upon themselves the power to appeal against sentences that they believe are too lenient. That is interference in future cases. Therefore, there is a case for doing something—anything—to give the potential offender clear guidance on what is likely to happen to him. I am sure that if we had such a system, there would be less crime.

As I said when we debated new clause 1, the only evidence that we have is that on capital punishment, which shows overwhelmingly that when we had that deterrent it curbed not only murder but crimes involving the use of firearms. Since the abolition of capital punishment, there have been dramatic changes. There is the great unanswered question about why general crime doubled and murder did not increase while we still had capital punishment. I hope that the Government will think about that.

A fair point has been made about cases where the circumstances are special—for example, when the person who had committed the crime had good reason for doing so, and we should be sympathetic to him. Would not it be possible to have standard sentencing, but to allow the judge to depart from that standard in cases with special circumstances, on the understanding that his determination could be subject to an appeal to a higher court? That escape clause would allow judges some discretion.

The purpose of the new clause is not to put more people in prison for longer but to stop crime. I hope that the Minister will appreciate that an important principle is involved. The arguments against this are not as clear as people think. It is time that we had an experiment, bearing in mind the fact that the only evidence shows that our only mandatory sentence was effective and curbed crime.

Mr. Merlyn Rees (Morley and Leeds, South): I was provoked into speaking by the hon. Member for Thurrock (Mr. Janman), who moved his new clause clearly and succinctly. He said that all his dreams of dealing with law and order in manifestos and party political pamphlets over 10 or 15 years had not become reality. Instead, the crime

[Mr. Merlyn Rees]

rate had continued to rise. That ruined his argument that the Labour party was bad on law and order while the Conservative party was good. Whatever else, the crime rate does not show that. It is no respecter of political parties.

In economic circles, the argument is that the Bank of England should be independent because the politicians do not get economic analysis right, so if we extend that argument, it would be better to leave it to somebody else to decide on crime because the politicians have not been good on law and order. It would be as well for the hon. Gentleman to get the facts right, because that would be a help in dealing with the crime rate.

I do not know what it is like in Essex, but the people who suffer from the breakdown of law and order are those who live in inner cities—in areas such as the one that I represent—and who vote for my party and for me. The crimes that take place in Mayfair are different from those that take place in the inner cities. However, there is undoubtedly a problem.

The hon. Member for Thurrock claimed that the Labour party opposed the Northern Ireland prevention of terrorism Act. I was in at the beginning of that Act, when the police were against it. I am in favour of legislation to deal with terrorism—I have to be because it has been part of my being for the past 20 years. That does not mean that I would not vote against, for example, the reintroduction of internment. However, that vote would not mean that I was in favour of terrorism. The hon. Gentleman's suggestion that one party is better on law and order than the other will do nothing to prevent crime.

8.45 pm

I do not believe that the judiciary is always right. Therefore, I cannot say that it would be wrong to interfere with sentencing. In recent years, I have been involved too much in dealing with miscarriages of justice. Sentencing is often wrong. There must be changes in the methods of collection of evidence by the police, in forensic procedures and in court procedures, and a better method of appeal than that to the Court of Appeal with so-called new evidence.

Although in principle I do not disapprove of interfering with sentencing, I believe that if there is to be an independent judiciary, these are matters that it should decide. We should not be led by the hon. Member for Thurrock, who believes that all is lost and that all his dreams about dealing with law and order have failed, so we must limit the powers of the judiciary. He was wrong in the first instance in believing that he had got the answer and he is wrong to believe that his new clause, which interferes with the powers of the judiciary, is the answer.

Mr. Kenneth Hind (Lancashire, West): I do not often disagree with my hon. Friend the Member for Thurrock (Mr. Janman), but as a practising member of the Bar for many years, I feel that judicial judgment is vital in many cases. Many hon. Members will agree that one cannot set minimum sentences even for serious offences because inevitably in some cases it will be necessary to be lenient. For example, the new clause says:

> "That the minimum sentence for any offender convicted under . . . Section 18 of the Offences Against the Person Act 1861 shall be five years."

I have dealt with many cases of violence where the intention to commit grievous bodily harm was proved but the offence would not automatically attract five years.

The big problem with minimum sentences is that discretion will be ratcheted up. The most minor offence will attract the most lenient sentence with the consequent difficulty that, above that, sentences become longer. It will not necessarily mean that the case will be dealt with justly and that is likely to lead to miscarriage of justice.

Mr. Janman: I am disappointed that, almost uniquely, my hon. Friend does not agree with me. I believe right—my hon. Friend will correct me if I am wrong, because I am not a lawyer—that in some cases there are already minimum sentences. For example, certain categories of murder, of a child or of a police officer, or one involving weapons, attract a minimum sentence, laid down by the Home Secretary, of at least 20 years. The point that I was putting across earlier, which my hon. Friend is rather exaggerating, is that I do not wish to wipe out at a stroke, or even to inflict severe wounding on, the freedom of the courts and judicial flexibililty. I am simply saying that if we are serious about halting crime and providing a real deterrent we may have to have a reduction in that flexibility, albeit a minor one.

Mr. Hind: I appreciate what my hon. Friend says.

I want to take up a point made by the right hon. Member for Morley and Leeds, South (Mr. Rees). I have not lost so much confidence in the judiciary that I feel that we need to impose this upon it. Judges look at each case on its merits. They assess the probation reports and decide from their experience what the sentence should be. The proposed new clause goes too far and is an unnecessary interference with judicial discretion and the independence of the courts. I urge the House to reject it.

Mr. Sheerman: We oppose the new clause because it goes much too far. As I said many times in Committee, the Bill is a three-part measure. Part of it we agree with; the intentions of another part are good, although the ways of carrying out those intentions are not so good; the other third we oppose root and branch. The proposed new clause runs counter to all the proposals for a more progressive criminal justice system. I do not understand how the Government could accept it.

It is always a pleasure to hear the remarks of my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) on these issues. Like him, I am pragmatic about the judiciary. Sometimes the judiciary gets it wrong and sometimes it gets it right. I do not have an ideological view about the judiciary. We have the right to criticise it and to change the law where necessary. In this case I agree with the hon. Member for Lancashire, West (Mr. Hind) that a change is unnecessary. The new clause would run counter to the progressive parts of the Bill. Therefore, we hope that the motion will not be pressed to a vote.

Mr. John Patten: My hon. Friend the Member for Thurrock (Mr. Janman) has stirred up an interesting debate. I think that he expected the debate to be short, as did other hon. Members, but he has lured a distinguished former Home Secretary and others into speaking. I congratulate him on that.

The whole purpose of the Bill is to try to ensure that those who are convicted get their just deserts. That phrase is in the White Paper—alas, misspelt, but it is there. It is

a phrase which I used in an article which, to show my broad-mindedness, I published in *The Guardian* this morning—perhaps it also showed the broad-mindedness of *The Guardian* in publishing an article by a Tory Minister. I am happy to say that *The Guardian* spelt "deserts" properly throughout.

I share the concern of my hon. Friends the Members for Thurrock and for Hayes and Harlington (Mr. Dicks) and of others, expressed so fiercely in Committee, for victims and the importance of sending a clear signal to those who would commit serious and violent offences of the sort which concern my hon. Friend the Member for Thurrock so much.

As I explained when we debated new clause 1, it is right that the courts should have much discretion if they are to be able to continue to sentence justly in exceptional cases. On that I agree with my hon. Friend the Member for Lancashire, West (Mr. Hind). Undoubtedly cases will arise where there are strong mitigating factors and it would be wrong to penalise the offender heavily, if at all. If minimum sentences were set so low as to make allowance for such cases, it would render them meaningless and would give a false impression to the public. I know that my hon. Friend the Member for Thurrock does not want to render sentences meaningless any more than does my hon. Friend the Member for Southend, East (Mr. Taylor). Both want sentences to be meaningful, as is clear from their proposed new clause.

If minimum sentences were set too high—the judgment of my hon. Friend the Member for Thurrock has led him to the high end of the range—it could result in juries acquitting more guilty men and women to avoid excessive punishment. That is always one thing that worries me about minimum sentences. More serious offenders are being sentenced to much longer periods in gaol, and I welcome that, but the Government think it right to retain discretion at the lower end.

As my hon. Friend the Member for Thurrock will be aware, the basis of that approach is that Parliament sets the maximum sentences and courts have discretion within the maximum. Of course, there are occasions when it is judged by the courts themselves that they have got sentences wrong. That is why the Criminal Justice Act 1988, in which my hon. Friend was involved, gave a new power to my right hon. and learned Friend the Attorney-General to refer back to the Court of Appeal sentences which were allegedly over-lenient. He has done that on 24 occasions, and on 20 occasions the Court of Appeal has increased the sentences. That has been a substantial guide to judges in the lower courts.

I hope that the use of the new power will go some way to allay my hon. Friend's concern. None the less, he has raised interesting and important points. He referred to sentencing practice in other western European countries. While I cannot advise the House to accept the new clause —I hope that my hon. Friend, on reflection, will consider withdrawing it—I think that it is important to collect more information about the effects of minimum sentences in other countries so that we can examine, in a way which neither he nor I have been able to today, the case for minimum sentences.

With that undertaking, which I am happy to give to my hon. Friend, I hope that he will on consideration think it right to seek leave to withdraw the new clause.

Mr. Janman *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Does the hon. Gentleman have the leave of the House to speak again?

Mr. Janman: We have had an interesting debate. I should like to make one or two comments on the speech of the right hon. Member for Morley and Leeds, South (Mr. Rees). I am complimented by the fact that he has taken time to listen to the debate and to react to what I said.

I think that what the right hon. Gentleman said strengthens my case. He was right when he talked about whether we should have an independent Bank of England. He implied that over a 30 to 40-year period both parties in government have been unable to sustain not an overtight, but a disciplined monetary policy, although there are fine examples over a short period where that did not happen, such as in 1969 when the Labour Government had a balanced budget. It is interesting to note that some categories of crime are plateauing out, given the effects of the Criminal Justice Act 1988, but on crime, too, neither party when in government has been able to change the trend, just as, with fine exceptions, they have been unable to have a disciplined monetary approach.

This is the crux of my case. Every hon. Member, irrespective of his party, must observe the ever-increasing crime rate, which affects the very people whom the right hon. Gentleman cites. My constituency was once described —not by me—as "an inner-city area with trees". Most of the crime, which tends to be burglary and theft, takes place in the most municipalised areas, which are also the poorest areas—people robbing their neighbours down the road. In my view, that increases the need to take the matter seriously.

I understand my right hon. Friend the Minister's position, and I am pleased to hear that he intends to investigate whether instances of minimum sentencing occur abroad, and whether they have a positive effect on the crime rate. On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 6

PERIODIC REVIEWS OF DETENTION

'A prisoner whose case has been reviewed by the Board under section (Power to release life prisoners) or section 32(4) below and who has been refused release may apply to the Board for further review of his sentence—

(a) on the expiry of the period of 12 months beginning with the date of the Board's decision refusing his release; and

(b) on the expiry of any subsequent period of 12 months.'.—*[Mr. Sheerman.]*

Brought up, and read the First time.

9 pm

Mr. Sheerman: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, we may take the following:

New Clause 7—

Power to release life prisoners—

'(1) The Secretary of State shall refer the case of a life prisoner to the Board for review as soon as the offender has served the punitive element of his sentence.

(2) After consultation with the Lord Chief Justice, and with the trial judge if available, the Board may direct the release of a life prisoner whose case is referred to it under subsection (1) above.

(3) In determining whether to direct the release of a life prisoner, the Board shall have regard to—

(a) the need to protect the public from serious harm from him; and

(b) the desirability of preventing the commission by him of further offences and of securing his rehabilitation.

(4) The Board may direct the release of a life prisoner under this section—

(a) on licence; or

(b) unconditionally.

(5) Where the Board directs the release of a life prisoner on licence it may also direct the length of time for which the licence is to remain in force.

(6) If the Board gives no direction as to the length of a licence under subsection (5) above, it shall review the licence—

(a) before the expiry of a period of five years from the date of the Board's decision to release the offender on licence; and

(b) before the expiry of any subsequent period of three years

and shall on any such review either terminate the licence or direct the length of time for which it is to remain in force.

(7) It shall be the duty of the Secretary of State to release a prisoner unconditionally as soon as his licence has ceased to be in force unless he has previously been recalled to prison under subsection (1) or (2) of section 32 below.

(8) In this section "punitive element" means the sentence of imprisonment which the Crown Court, or on appeal the Court of Appeal, shall state in open court as being the sentence it would have passed if it had not passed a sentence of imprisonment for life, whether under requirement of law or otherwise.

(9) In this Part "life prisoner" means a person serving a sentence of imprisonment for life.'.

New Clause 8—

Procedure of Board on review of life sentences—

'(1) The Lord Chancellor may make rules with respect to the making of applications to the Board under section (Periodic reviews of detention) above and to the proceedings of the Board in cases arising under that section and section (Power to release life prisoners) above.

(2) Rules made under this section may in particular make provision—

(a) for regulating the means by which information relevant to an application or review may be obtained by or furnished to the Board;

(b) for enabling the Board to dispose of an application without a formal hearing where such a hearing is not requested by the applicant;

(c) for regulating the person by whom an applicant may, if he so desires be represented for the purposes of his application;

(d) for making available to an applicant copies of any documents obtained by or furnished to the Board in connection with his application, and a statement of the stubstance of any oral information so obtained or furnished, except where the Board considers it undesirable in the interests of justice to do so;

(e) for requiring the Board, to furnish reasons for any decision given by it in such circumstances as may be prescribed by the rules;

The following amendments: No. 71, in clause 26, page 19, line 18 at beginning insert

'Except in cases to which section (Procedure of Board on review of life sentences) applies and.'

No. 72, in page 19, line 21 after 'or', insert

'subject to section (Power to release life prisoners) and section (Periodic reviews of detention) below,'.

No. 73, in page 19, line 23, at beginning insert

'Except in cases to which section (Procedure of Board on review of life sentences) applies,'.

No. 74, in page 20, line 17, leave out subsection (2).

No. 75, in page 20, line 20, leave out subsection (3).

No. 76, in page 20, line 23, leave out subsection (4).

No. 77, in clause 30, page 20, line 41, leave out subsection (3).

No. 78, in clause 32, page 21, line 34, after 'recommended', insert 'or directed'.

No. 79, in page 21, line 38, after 'recommendation', insert 'or direction'.

No. 80, in page 22, line 5, after 'recommends', insert 'or directs'.

No. 81, in clause 41, page 26, line 10, leave out '28(4)' and insert

'(Power to release life prisoners (9))'.

Mr. Sheerman: The new clauses and amendments seek to implement the judgment of the European Court of Human Rights in the case of Thynne, Wilson and Gunnell on 25 October 1990 in regard to life-sentence prisoners. We consider that judgment very important. We had expected the Government to use the Bill as a vehicle to bring them into line with it and we were very concerned when they found that they could not do so. The new clauses and amendments would bring the United Kingdom fully into line with the judgment. We think that important because this country, especially under the present Government, has a poor record with the European Court of Human Rights. I believe that more judgments have been made against us than against any other European Community member country and, in the case that I cited, every opportunity was provided for speedy compliance with the court's judgment.

The court held that persons given a discretionary life sentence were entitled to have their sentences reviewed at the end of the tariff period and at periodic intervals thereafter. If they were released on licence and the licence was revoked, they were also entitled to have their re-detention reviewed by a court.

The case follows an earlier British case, Weeks *v.* United Kingdom, decided on 2 March 1987, in which the court held for the first time that that principle applied. In the Weeks case, the court found that the Parole Board was an independent body but that its procedures were not sufficiently court-like and that it did not possess sufficient powers in respect of the sentences. Nor did it have the power to terminate the sentence if it formed the view that the personality disorder that had justified a life sentence had ended.

Our new clauses would give the Parole Board the power to release life-sentence prisoners as soon as the punitive element of the sentence had been served. It would also allow the board to provide a periodic review of detention and would give the Lord Chancellor the authority to institute a set of rules that would enable the board to become a court for the purposes of the convention. The new clauses have the support of two highly distinguished organisations in the field of human rights, Justice and Liberty.

In Committee, we argued long and hard about the role of the pressure groups—or interest groups—which have been quoted in support sometimes of one side of the argument, sometimes of the other; but it should be noted

that those two organisations, like many voices in the judiciary—and in another place—are strongly in favour of our proposals. It is also important that the Government accept the European Court's findings against this country and comply with its rulings.

Our new clauses form a package. The first gives the Parole Board the power to release life-sentence prisoners as soon as the punitive element of a sentence has been served. At present, in every life sentence case, the judge sets the punitive element in a private communication with the Home Secretary.

I just looked over my shoulder to see whether the former Home Secretary, my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees), was still with us. It is extraordinary that the offender should be unaware of the length of the period concerned. The new clause requires the trial judge to state the period in open court. It seems to us common sense—common humanity—for the prisoner who has been found guilty to know what that element of his sentence is. If the sentence is appealed against, the appeal court will be able to consider the punitive element and determine its length. It is ridiculous that a prisoner should not know how his sentence is composed.

The European Court of Human Rights discussed at some length the distinction between the punitive and the security aspects of a life sentence. I quote from *The Times Law Report* on the case of Thynne:

"In the court's view, each of the applicants was sentenced to life imprisonment because, in addition to the need for punishment, they were considered to be suffering from a mental or personality disorder and to be dangerous and in need of treatment . . .

The court noted that the discretionary life sentence had clearly developed in English law as a measure to deal with mentally unstable and dangerous offenders. Such sentences were composed of both a punitive and a security element"—

we understand that, and do not demur from it—

"the latter being designed to confer on the Secretary of State the responsibility for determining when the public interest permitted the prisoner's release . . .

The factors of mental instability and dangerousness were susceptible to change over the passage of time, and new issues of lawfulness could arise."

Under the new clause, the Parole Board would review life sentence cases once the punitive part had been served and it would have the power to release the offender. In making its decision, it would have to have regard to the risk factor—the need to protect the public from harm and to prevent the commission of further offences. It would, of course, consider the personality factors that had led to the original imposition of the life sentence. The board would have power to release the prisoner on licence or to bring the sentence to an end by unconditional release. It could determine the length of the licence, but if it did not set a term, it would have to review the licence at intervals.

New clause 6 deals with periodic reviews of detention. This, too, follows a judgment of the European Court of Human Rights, which stated that a person serving a discretionary life sentence must be entitled to periodic review of the detention to see whether the factors in the prisoner's personality that gave rise to it still exist. It seems to be common humanity and common sense that if, over a long period, the personality of the prisoner changes—either under treatment or, as is often the case, without treatment—the circumstances of that prisoner may be adjudged, on the basis of independent psychiatric advice, to have changed. This matter was discussed in the debate on a previous amendment. The European Court of Human Rights believes that in such cases review should be possible.

New clause 8 deals with the procedure of the board on the review of life sentences. It would give the Lord Chancellor the authority to institute a set of rules enabling the board to become a court for the purposes of the convention. In other words, the court would have to meet the requirements of due process established in the convention, such as the right to representation, the right to bring evidence and to test the other side's evidence, and the right to ask the board to give reasons for its decision. It was the absence of such procedures that led the court, in the case of Weeks, as well as in the Thynne and other cases, to decide that the board could not be regarded as a court for the purposes of the convention. We believe that the Lord Chancellor should be given the ability to put that right.

Finally, there is the amendment that would result in the omission of subsection (3) of clause 30. It would remove the provision that a licence must last for the life of the prisoner. This would also be consequential on the judgment. Once the personality factors have ceased to exist, the justification for the sentence ceases, and it becomes unlawful in terms of the convention. Therefore, the board must have power to set a period for the licence that is less than life.

During the Committee stage we had a long debate on matters similar to these. The Minister will have noted that the amendments, as drafted, are not confined to discretionary life sentences. The House, too, will understand that. It is a deliberate decision on our part. This is what the European judgment is all about. Such sentences now constitute about 25 per cent. of life sentences in England and Wales and less than 5 per cent. in Scotland.

The amendments extend to all life sentences. There are two reasons for that. In their argument before the European Court of Human Rights the Government maintained that it would be wrong in principle and impractical in operation for two sets of rules to be operated by the Parole Board, depending upon whether the life sentence was mandatory or discretionary. That is good logic and common sense. We agree with those sentiments and consider that, as a matter of principle, all questions of detention and release should rest with the judiciary. It is difficult to think of circumstances in which the expert assessment of risk—now made by the Parole Board—should be overruled by the Minister and his officials. We mean nothing personal, but Ministers come and go and Secretaries of State change rapidly. We believe that the decision should be made by a court-like authority—the Parole Board.

By including mandatory lifers the amendments would implement the recommendations of the House of Lords Select Committee on Murder and Life Imprisonment published in July 1989. That came down broadly in favour of taking the power of release out of the hands of the Minister and putting it into those of an independent tribunal. I do not want to bore the House with the detail we discussed in Committee, but we have heard the views of the good, the wise and the experienced—I am looking at the hon. Member for Wirral, South (Mr. Porter).

The final argument in favour is that the principles of the convention set out by the European court in the cases of Weeks, Thynne and others about the nature of liberty

[Mr. Sheerman]

make it clear that once a life-serving prisoner has been released, whatever the initial basis for the life sentence, his convention rights are restored. That means that liberty cannot be taken away from the prisoner without due process before a court. Thus, on the revocation of a licence, every life prisoner is entitled to proper judicial process before the board, which must be given power to determine the question of release.

Running through all the amendments is a clear logic and rationale. We have built on the European court's judgment to bring the system into a much more coherent and consistent form. It is imperative that the Government comply with the European court's ruling. They have no excuse for delay. In Committee the Minister said:

"I am inclined neither to accept the amendments nor to say at this stage when or how we shall implement the Strasbourg judgment."—[*Official Report, Standing Committee A*, 15 January 1991; c. 337.]

That is not good enough. The Minister justified his position by saying that the subject matter was, in part, sub judice. That was misleading. It was always a red herring as the judgment in the case is related to internal laws in Britain, not to European rulings, and, in any event, it has now been dealt with.

Interestingly, the Minister's main reason for delay was that there was insufficient time to reflect on the court's decision. That will not hold water, either. It is true that in the Thynne case judgment was given in October 1990, but the judgment in Weeks, which covers much the same ground, was in March 1987. What is more, in the Thynne case the European Court of Human Rights drew up its report expressing the opinion that there had been a violation of the convention as early as September 1989. Therefore, the Government have had plenty of time to think the issues through.

The problem will not go away. We know of at least three cases in which prisoners are taking the Government to the European court on the same issue. We are raising the new clauses to give the Government yet another chance to show that they will comply with the European court judgments and we hope that they will provide the timetable under which they propose to proceed.

In this place we are all familiar with the doctrine of the "unright" time. The Government say that they will do something but, "This is not the right Bill, the right time, or the right month." I hope that I have made the case that the Government have a responsibility to bring this country into line with the European Court of Human Rights. What is the purpose of such a court if, time after time, we fail to comply and drag our feet even when we do comply? This Bill deals with precisely that range of matters and there is no excuse for any further delay.

Mr. John Greenway: I shall not detain the House for long because, as the hon. Member for Huddersfield (Mr. Sheerman) said, we discussed this subject at some length in Committee. However, because of constraints on time, I did not participate in that debate.

I am not entirely unsympathetic to the comments of the hon. Member for Huddersfield on discretionary sentences. However, I am not convinced that he made his case on mandatory sentences. The new clauses will incorporate both forms of sentence. I hear what he said about it being four or five months since the decision of the European Court of Human Rights in Gunnell, Wilson and Thynne. It is argued that the Government have had time to consider that case, but I do not believe that the public will expect them to rush into decisions that affect our freedom, peace and security. It is all very well to talk about what the European court said about that case, but we must not lose sight of the fact that those men were convicted of nasty multiple rapes and buggery.

9.15 pm

When mandatory sentences are passed, public concern about the need to be protected from murderers becomes even more important. Less than two months ago, we had an interesting debate on capital punishment. Many British people support capital punishment, but say that if we are not to have capital punishment life imprisonment should mean life imprisonment. The Government should have much time to think about how to deliver that requirement, which the public have expressed for a long time, and meet the requirements of the European court. Clearly, we must achieve a proper balance between the liberty and rights of the prisoner and the need to protect the public from dangerous criminals, but I urge my right hon. Friend the Minister to take a more cautious view than did the hon. Member for Huddersfield.

No hon. Member has the right to say, "This is our view and there is no other." We owe it to the British people to ensure that our system of criminal justice and sentencing are adequate to protect the public from people who are a danger to society. I am not sure how we can balance that need with the requirement to state the punitive element of a sentence when it is passed, which seemed to be what the hon. Member for Huddersfield was urging.

As we are so keen to achieve the right balance, it is fair that I should put both points of view. I asked the governor of Full Sutton prison, who has many years' experience in the prison service, for his view on parole and the automatic right to parole for long-sentence prisoners. He said that, in many ways, it is helpful to prison discipline and to the rehabilitation of offenders if they are aware of the punitive element of their sentence.

If we were dealing only with discretionary life sentences, perhaps the hon. Member for Huddersfield would have a point. As I said, we are not. We are dealing with discretionary and mandatory sentences. Even after the Bill has been given Royal Assent and is in force, there will still need to be a debate on mandatory sentences. The European court has not ruled on that matter, so the Government should be under no pressure to take precipitate action on it. For that reason, if for no other, the House should reject the new clause.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): It may seem curious that, within weeks of my reaching the 25th anniversary of my arrival in this place, I now wish to make a maiden speech. This will be my maiden speech on a Criminal Justice Bill. I ask for my right hon. and hon. Friends' forgiveness when I tread into this strange new legislative territory.

I am prompted by a constituency case which reveals the unjustness of the present system in determining life sentences. It involves a young man called Wayne Smart. The case has been the subject of lengthy correspondence with a succession of Home Office Ministers since 1986. I sought then, and I seek now, to get natural justice.

The case involves some terrible events that led to the death of a local person. I do not wish to rehearse the

circumstances, save to say that almost everyone who knows the young person and the background has found these events totally out of character. The parents, the young man and obviously the family of the person who was killed have been shattered by the experience. We are all baffled to know what led to it.

Wayne Smart had no record of previous violent offences—his only previous offence was driving a car without a licence. I received a petition containing more than 600 names from people living in the community where the murdered person and Wayne Smart lived. The petition pleaded with the Home Secretary for leniency. By any standards in my constituency experience, it was extraordinary to receive such a petition.

I presented the petition to Home Office Ministers in the hope that it would play an important part in determining the young man's length of sentence. That was the beginning of my long contact with a labyrinth of procedures. The case preceded the Handscomb decision in March 1987, which allows counsel to make a plea of mitigation to the trial judge after a person has been found guilty of murder. In this case, there was no opportunity to make a plea of mitigation.

When I started on the road of trying to find out how Home Office Ministers would decide the length of sentence that Wayne Smart would serve, I found that there were five stages, the most important of which was the Home Office decision as to when a case should first be reviewed by a local review committee—the so-called tariff decision. In the vast majority of cases, and certainly in this one, that is when the most important decision is taken in determining the length of sentence that a person will serve.

However, as the law stands, a prisoner is permitted virtually no right to make representations; nor does anyone have a right to make representations on his behalf to know on what basis and in what manner a decision on the length of sentence is made. As a layman who is unfamiliar with this aspect of criminal justice, it strikes me as utterly contrary to the principle of natural justice that one is not allowed to know the basis on which such a vital decision is taken.

In October 1989, with increasing concern about trying to work out the labyrinth of procedures, I wrote to the Home Secretary of the day, and I received a letter from the Minister's predecessor. I made a simple request. I asked him to send me, as the representative of the person and family concerned, information about the basis upon which that person's sentence was determined. In a letter dated October 1989, I was refused that information.

The interesting aspect of the matter is that the decision is not a judicial one—a point that my hon. Friends have been making—but a Home Office executive decision. An elected representative in this House or anyone else representing someone such as Wayne Smart is not entitled even to know the information, evidence or factors that are taken into account when determining the length of time that a person will serve in prison. Given that that is a Home Office executive decision, and given that it is a matter of profound importance to the person concerned —the Wayne Smart case preceded the Handscomb case, so there was no opportunity even to make a plea of mitigation to the court—such cases show that the existing procedures are contrary to natural justice.

I hope that my brief intervention in such a debate as this points out a fundamental flaw in the procedures, and that it will be heeded by Ministers and taken into account. As others have said, there is already widespread criticism of Home Office Ministers' executive power to determine the length of time that a person such as Mr. Wayne Smart should spend in prison. I hope that, irrespective of the many arguments that have been put, the Minister will take a simple message from a simple case and review the procedure and the law behind it.

Mr. Lawrence: I cannot follow the constituency case that was raised by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). However, as it was his "maiden speech" and hon. Members are supposed to say something nice about a maiden speaker, I applaud his opportunism in raising a constituency issue at this time rather than in a much later Adjournment debate in the normal way. The debate is about life sentences——

Mr. Rowlands: So is the case to which I referred.

Mr. Lawrence: I wanted my comment to be nice. I had hoped that the hon. Gentleman would consider that I was being complimentary. I am sorry that he does not. Perhaps we may talk about it later.

I do not have any strong feelings on the new clauses. I do not think that there is much wrong with periodic reviews of life sentences. I should hope that they would be reasonably frequent—perhaps even annual—for humanitarian reasons. Of course, there is always the danger, which must be avoided, that we have so many reviews that expectations are falsely raised. That is a cruel thing to happen to someone who is serving a life sentence or any other lengthy sentence.

9.30 pm

In response to the speech of the hon. Member for Huddersfield (Mr. Sheerman), first, I do not accept that this country has a poor record of compliance with the human rights rulings in Europe. I know that that is often said by Opposition Members and by so-called "freedom groups", but it simply is not so. I do not want to spend time rehearsing the basis of the argument, because those points will no doubt be made by my right hon. Friend the Minister of State. However, we were among the first to accept the European Court rulings and we have been assiduous in following them. Having entered the field early, of course we have more rulings against us than some other European countries who came to the obligations of the European Court as Johnnies-come-lately.

Also, it is not sufficiently realised that we have international responsibility for some of the islands around this country, such as the Isle of Man and the Channel islands. The Isle of Man got into trouble with the European Court over corporal punishment. If that issue had been taken up by this place, it would have received rather more support at the time than it enjoys this evening, with the House as currently constituted.

Therefore, I hope that the hon. Member for Huddersfield will not be allowed to get away with that observation. As a Conservative, I am proud of the fact that we are astute and assiduous when complying with the human rights requirements, but I leave the rest of that issue to my right hon. Friend the Minister of State.

Secondly, nor do I understand what the hon. Gentleman was saying when he called upon us to comply with the European Court ruling which, as I recall it—my right hon. Friend will correct me if I am wrong—applies

only to discretionary sentences. Life imprisonment is a mandatory sentence. It therefore follows that the European Court ruling does not apply to this country——

Mr. Sheerman: Perhaps I did not present my case as articulately as usual, but I clearly made the point that our provisions extended from that judgment in order to broaden the base to cover both sorts of life sentence.

Mr. Lawrence: If that is so, I quite understand why my right hon. Friend is taking her time on behalf of the Government to accept the new clauses. If the hon. Gentleman is rolling together what would be an obligation under discretionary sentences with mandatory sentences, that matter obviously requires consideration. However, it cannot be said that we are somehow not in conformity with an obligation laid down by the European Court. If the hon. Gentleman expects that we shall substitute discretionary sentences for mandatory sentences for life imprisonment, I for one hope that he will be disappointed.

That is all that I wanted to say. Even in a brief debate, hon. Members should not be allowed to make wholly unacceptable points without expecting to have them dealt with. There is some merit in my right hon. Friend's obvious reluctance to accept the new clauses. I shall listen with great interest—as I always do—to her reasons, bearing in mind that we must be careful and humane about the way in which we deal with people who are incarcerated in life imprisonment, certainly until such time as we improve the standard of our prisons throughout the country, so that they are more decent places in which our prisoners can abide.

The Minister of State, Home Office (Mrs. Angela Rumbold): It is perfectly understandable that we should debate this new clause this evening, just as we debated it in Committee. Our debate is also understandable in the light of the decision by the European Court of Human Rights on Gunnell, Thynne and Wilson. Clearly, this matter should be raised and is of concern to Opposition Members. Equally, the Select Committee in the House of Lords has made recommendations on the way in which tariffs are set and sentences are reviewed when the punitive part of sentences has expired.

I listened carefully to the hon. Member for Huddersfield (Mr. Sheerman). I also listened carefully to the case put by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). I am not familiar with it, and I trust that he will excuse me if I do not go into detail, but I carefully noted what he said, and I clearly understood the point that he made. Of course, I will take it back to my right hon. Friend the Home Secretary for his consideration.

The hon. Member for Huddersfield is well aware that my right hon. Friend the Home Secretary takes the European Court of Human Rights judgment very seriously indeed. I know that the hon. Gentleman fully understands that my right hon. Friend has been in post for not quite two months. The implications of the judgment are a serious responsibility for a Home Secretary. As my hon. and learned Friend the Member for Burton (Mr. Lawrence) and my hon. Friend the Member for Ryedale (Mr. Greenway) said, the issue is of great importance, and therefore requires a great deal of consideration.

For that reason, I can assure Opposition Members that, as soon as my right hon. Friend the Home Secretary has given the matter his full consideration and finished the discussions in which he is engaged, he will come to the House and give the results to Parliament immediately.

For the reasons which my hon. Friend the Member for Ryedale gave, it is impossible for us to accept the new clause. It rolls up mandatory and discretionary life sentences. In his heart of hearts, the hon. Member for Huddersfield knew that we could not accept the new clause. The European Court of Human Rights decision related only to discretionary matters and did not touch on mandatory matters. That considerably broadens and extends the responsibility of my right hon. Friend the Home Secretary in coming to a decision. It is less of a problem to consider the discretionary life sentence implications of the European Court of Human Rights decision.

Equally, the new clause would mean that the criteria that the Parole Board has to follow would have to be considerably tightened in order to meet the requirements of justice in this country. It is for those reasons, but at the same time assuring Opposition Members that my right hon. Friend the Home Secretary will come to a decision, that I ask the hon. Member for Huddersfield to withdraw the new clause.

Mr. Sheerman: The Minister knows from the dialogue that we have had in the past few weeks in Committee that I am not satisfied by that response. She also knows that she cannot get away with sidestepping the issue by saying that it is our fault that she cannot accept the new clause because we have rolled up the two issues. As we all know, the Government could probably have unrolled them by tabling their own amendments, making a clear break between discretionary and mandatory life sentences.

Since the first case in 1987, the Government have had plenty of time. We cannot excuse the new Home Secretary. We cannot drag our feet. There must have been good advice from the Department over the long period since 1987 and for half the past year. Unfortunately, we must divide the House, because we need to push the point as far as we can at this stage.

Question put, That the clause be read a Second time:—

The House divided: Ayes 195, Noes 279.

Division No. 73] **[9.40 pm**

AYES

Abbott, Ms Diane	Brown, Nicholas *(Newcastle E)*
Adams, Mrs. Irene *(Paisley, N.)*	Brown, Ron *(Edinburgh Leith)*
Allen, Graham	Buckley, George J.
Alton, David	Caborn, Richard
Anderson, Donald	Callaghan, Jim
Archer, Rt Hon Peter	Campbell, Ron *(Blyth Valley)*
Ashdown, Rt Hon Paddy	Campbell-Savours, D. N.
Ashley, Rt Hon Jack	Canavan, Dennis
Ashton, Joe	Carlile, Alex *(Mont'g)*
Barnes, Harry *(Derbyshire NE)*	Cartwright, John
Barnes, Mrs Rosie *(Greenwich)*	Clarke, Tom *(Monklands W)*
Barron, Kevin	Clay, Bob
Battle, John	Cleiland, David
Beckett, Margaret	Clwyd, Mrs Ann
Begg, Roy	Cohen, Harry
Bell, Stuart	Corbett, Robin
Bellotti, David	Cousins, Jim
Benn, Rt Hon Tony	Crowther, Stan
Bennett, A. F. *(D'nt'n & R'dish)*	Cryer, Bob
Bermingham, Gerald	Cummings, John
Bidwell, Sydney	Cunliffe, Lawrence
Boateng, Paul	Dalyell, Tam
Boyes, Roland	Darling, Alistair
Bradley, Keith	Davis, Terry *(B'ham Hodge H'l)*
Bray, Dr Jeremy	Dixon, Don

Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Gilbert, Rt Hon Dr John
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Lightbown, David
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Rt Hon J. D. *(S'ford)*
Thompson, Jack *(Wansbeck)*
Trimble, David
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ken Eastham.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Sir William
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick

Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Moore, Rt Hon John
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Page, Richard
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Ridsdale, Sir Julian
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

New Clause 12

AMENDMENT OF CRIMINAL JUSTICE ACT 1967

'After subsection (1A) of section 67 of the Criminal Justice Act 1967 there shall be inserted the following subsection—

"(1B) In subsection (1) above 'relevant period' includes any period served in custody in any foreign jurisdiction awaiting extradition to this country where there is in existence at that time a treaty obligation for extradition between that country and the United Kingdom".'.—*[Mr. Archer.]*

Brought up, and read the First time.

Mr. Archer: I beg to move, That the clause be read a Second time.

This is not the most publicised of our debates and I doubt whether it will be the longest, but I am gratified to see that it has attracted the biggest audience in the Chamber of any debate so far——

Mr. Neil Kinnock (Islwyn): And of the highest quality.

Mr. Archer: Indeed.

We are returning to a measure that we discussed in Committee. I am grateful to Prisoners Abroad for having drawn attention to what is clearly an anomaly. Before 1967, when a judge was imposing a custodial sentence on someone who had spent a period in custody while on remand, he "took that into account". He said to the offender, "I take into account the fact that you have spent this period in custody."

In 1967 the position was changed. Section 67 of the Act of that year formalised it. The arithmetic was done for the judge. Provided that the time was spent in custody in respect of that offence, the time was formally deducted from whatever sentence was pronounced by the judge. But no similar provision was made for someone who had been apprehended abroad and who had spent time in custody there awaiting extradition. That situation still obtains.

As a result, if two people are tried at the same time for the same offence but one has been returned from abroad while the other has been in custody in this country on remand, they will be dealt with differently. In the one case the judge will pass the sentence appropriate to the offence and the time spent in custody will be deducted administratively from it; in the other, the judge will have to do the arithmetic—so he will pass two different sentences for the same offence. Experts in the law may not be surprised by that, but when it is reported it will sound very strange to the public. It is clearly anomalous.

I ventured to raise the subject in Committee, where the Minister said that there was a problem. I have noticed that in most Committees in which Home Office Ministers lead for the Government there is a problem with almost everything that we venture to raise. Perfectly straightforward reforms crying out for action always manage to attract problems.

I really commend the ingenuity of the Home Office in finding a problem for every solution. On this occasion, the Minister said that the problem lay with the definition of "custody", because custody can be anything from lying in a dark, dismal and damp cell without access to anyone from the outside world, to house arrest, where people live in their comfortable villas and all that happens is that they are forbidden to move away. That I fully understand. What I do not understand is why it is thought that the Home Office, with all its resources, should not be in a better position to resolve the matter than the judge, if only because the Home Office has time beforehand in which to do it, whereas the judge will have to do it on the spot. I therefore venture to raise the matter again in the hope that the Minister will have had further thoughts about it.

The Minister said in Committee that there was no real problem for the judge: the defendant could tell him what had happened, and he could take it from there. I am not wholly clear why the defendant cannot tell the administrative authorities what has happened. The one thing that I am fairly certain of is that, if we have to rely on the defendant in the dock to tell the judge what happened, when the judge has no means of checking, it will hardly be conducive to the cause of truth.

When the Minister says that the defendant's lawyers can find out the circumstances in which he was detained, I wonder if the Minister has given any realistic thought to what happens when his lawyers are acting on legal aid. If they spend a lot of time trying to find out what happened in some foreign part, I suspect that they will want to be paid for it; and I suspect that, when they apply to be paid by the legal aid fund, they will be very disappointed—and this will get around.

It would be very much better if problems of this kind were resolved by the Home Office rather than by the judge on the instant in the court. If that were so, we would not have this anomaly between treatment of prisoners detained on remand in this country and that of prisoners detained abroad and awaiting extradition.

It would be a great event if, just for once, the Home Office listened to a good idea and, without searching for difficulties, agreed to act on it and put matters right. The Minister could be the first of her kind if she seized that opportunity tonight.

Mrs. Rumbold: The right hon. and learned Member for Warley, West (Mr. Archer) makes a very persuasive case to the House and it is always a pleasure to hear him do so. I found it, as always, interesting to listen to his argument, which is that the time that people have spent on remand in custody in this country is taken into consideration in the sentence whereas, at present, this is not the case when the custody has been abroad. Very properly, the right hon. and learned Gentleman pointed out that the positions of the respective offenders are not always comparable; and different arrangements can, I think, be justified to take account of different circumstances.

The right hon. and learned Member is aware, I am certain, of section 67 of the Criminal Justice Act 1967, which makes it clear that remand time is relevant only when it is directly connected with any proceedings relating to the sentence that it affects. That is an important principle and it should be reflected in the way in which foreign custody is treated.

It is a little more difficult, as the right hon. and learned Member pointed out, to determine precisely what foreign custody means, because it can vary from one type of custody to its opposite, from a dank cell in a prison somewhere to house custody. The definitions need to be looked at carefully. A variety of factors need to be considered before a decision to reduce the sentence to be served in this country can properly be made. Therefore, it is not right to extend section 67 to take account of foreign custody.

However, the Court of Appeal has made it clear that judges should consider reducing a sentence to give credit for time spent in foreign custody, and that is a sensible and practical arrangement. The judgment about those matters——

It being Ten o'clock, further consideration of the Bill stood adjourned.

Ordered,

That, at this day's sitting, the Criminal Justice Bill may be proceeded with, though opposed, until any hour.—*[Mr. Patnick.]*

Question again proposed, That the clause be read a Second time.

Mrs. Rumbold: That seems to be a sensible and practical arrangement. A judgment about these matters by the sentencing judge, having regard to the facts of the case before him at the time of the sentence, is the logical way to go about things. I note the right hon. and learned Gentleman's comments about the position of the case as it is presented to the judges, and the importance of taking that into account when the matter is taken forward.

It is unfortunate that I cannot grant the right hon. and learned Gentleman's dearest wish and agree to the new clause. In Committee, my right hon. Friend gave an undertaking to reflect further on the matter, and said that the Government would, if necessary, introduce an amendment or new clause to ensure that nothing in the Bill prevented the courts from using their existing powers to reduce sentence length and to take account of time served abroad awaiting extradition. Such an amendment would also serve to bring to the attention of defendants, their legal representatives and the courts the existence of the power. My right hon. Friend has not forgotten the undertaking, and will think about the matter further in the light of this debate.

Mr. Archer: I am grateful for the last few remarks made by the right hon. Lady but, as I said in Committee, however welcome the Minister's undertaking, it bore little relationship to my proposal. It may be that, when the Minister is reflecting on the other matter, he will reflect also on my proposal. For that reason, and because I always live in hope, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 13

LIFE SENTENCE FOR MURDER

'In section 1(1) of the Murder (Abolition of Death Penalty) Act 1965, for the word "sentenced" there shall be substituted the word "liable".'.—*[Mr. Archer.]*

Brought up, and read the First time.

Mr. Archer: I beg to move, That the clause be read a Second time.

Again, we return to a theme that we discussed in Committee and earlier today, although we are dealing with a different aspect of life sentences. The new clause is about mandatory life sentences for murder. Earlier this evening, my hon. Friend the Member for Huddersfield (Mr. Sheerman) said, when moving new clause 6, that he was taking together mandatory life sentences and discretionary ones. That caused a certain amount of muddle in the mind of the hon. and learned Member for Burton (Mr. Lawrence).

This time, we are all clear. We are talking about mandatory life sentences. The issue is not whether they should be available to the court as a means of disposing of the appropriate cases, but whether there should be no other course open to the court, whatever the circumstances. I believe that this came about—again the hon. and learned Member for Burton said something about this—because it used to be thought that murder was a unique offence and therefore required a unique penalty. That used to be the death penalty. The death penalty was not unique to murder. What was unique was that the death penalty was mandatory. There were very few other offences for which any penalty was mandatory. When in 1965 the death penalty for murder was abolished, it was felt that any alternative penalty should also be unique.

Mr. John Patten *indicated dissent.*

Mr. Archer: The right hon. Gentleman is shaking his head. If he wishes to intervene, I am more than willing to give way, because I am not sure which of my statements he is challenging.

What I was saying was that when in 1965 the death penalty was abolished for murder it was felt that the alternative penalty should be unique. The alternative penalty was life imprisonment, but that was not unique to murder, as we have heard this evening. There are discretionary life penalties for other offences. What was unique, again, was that it was mandatory. No other course is open to the court, whatever the situation, whatever the mitigation.

It is a curious concept because everyone knows that the circumstances of offences of murder vary enormously from the savage killing of a total stranger for gain or to get a sick kick, to a crime passionel by a heartbroken spouse, having discovered that his or her partner has been unfaithful, or the action of someone terminating the life of a terminally sick, close relative—the sort of tragedies that we heard about in some of our earlier debates.

Whether we believe that murder merits only a life sentence depends largely on how we formulate the question. Last year a Gallup poll was conducted for BBC2's "Public Eye" programme. The first question asked was:

"Do you think that there should be a mandatory life sentence for murder?"

There was a curious result; 47 per cent. of those questioned said yes, 47 per cent. said no, and the others did not know. So there was a dead heat. The same people were then asked:

"Do you think that there should be a mandatory life sentence for someone who terminates the life of a terminally-ill relative?"

Only 10 per cent. said yes.

A particular problem relates to hospital orders. Just as the circumstances of murder vary enormously, so the circumstances of murderers vary widely. There may be people who have to be incarcerated for a long period for the protection of the public. There may be others who, we are fairly certain, will never kill again. Sometimes we have to look at the mental condition of the offender.

In many cases a judge would want to make a hospital order, possibly with restrictions. The way we deal with that at the moment is to take up the time of the courts, of the judges, of the legal profession and of expert witnesses, arguing the technicalities of whether someone acted by reason of diminished responsibility. What we should be discussing is whether the hospital order is the appropriate disposal.

The case mentioned a few moments ago by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) seemed to turn largely on whether it was possible to obtain a verdict of not guilty of murder but guilty of manslaughter. In that case the jury had to say, "No, we think it was murder." That is not the question which the court should be addressing; the court should be asking whether it is necessary to lock someone away either in prison or in hospital in order to protect the public. The new clause would spare the courts, the legal aid fund, the Crown prosecution service and everyone concerned the resources now spent on such issues which are needed for other purposes.

Sometimes matters operate in reverse. I understand that victim support groups say that it is wrong for a sentence to be decided in that way because it is the wrong test. They think that some people who escape life imprisonment for murder, because of the application of the diminished responsibility test, would probably be much better incarcerated for a long period. So the victim support groups say that there can be, perhaps not miscarriages of justice, but wrong ways of dealing with the matter in both directions. This proposal was supported by the Butler committee on mentally abnormal offenders in 1975, the Advisory Council on Penal Reform in 1978, the parliamentary all-party penal reform group in 1986 and the Lords Select Committee on Murder and Life Imprisonment—the Nathan committee—in 1989. All those bodies concluded that this was the right way in which to deal with the problem.

I think that I told the Minister in Committee that one of her distinguished predecessors in the high office that she now holds—Lord Windlesham—had made what she would recognise, had she read his book, as an unanswerable case for my proposal. I assure her that it is supported widely among the judiciary. I am not relying on the evidence of private conversations; I remember my hon. Friend the Member for Huddersfield talking in Committee about a poll of members of the Court of Appeal by the Lord Chief Justice—I think that the figures were 19 to 12——

Mr. John Patten: A leak!

Mr. Archer: It may have been a leak; nevertheless, it is no secret that a substantial number of the higher judiciary take this view.

It may be said that there is no need to worry because the matter can be left to the Home Office: the Home Office will release the offender at the appropriate time. That is wrong in principle and, I believe, distorted in practice. It is wrong in principle because the general policy of the law and the constitution in this country is that individual freedom is determined by courts of law, not by the Executive. I am not suggesting that the present Home Office Ministers will enter into a dire conspiracy to keep people in prison for longer than they should be there; but it is wrong in principle that the Executive should make such decisions. It is also wrong in practice, because the Home Office—like all of us—is anxious to show that a life sentence is a serious matter and should mean a substantial sentence. It is very difficult to release someone who has been sentenced for life if he has served only a relatively short sentence.

The most serious cases are lumped together with those that would merit a more moderate sentence. The Home Office is therefore compelled either to release people after only a short period—which might send out the wrong signals—or to keep in custody people who should be, and can safely be, released. In Committee, my hon. Friend the Member for Denton and Reddish (Mr. Bennett) gave the example of a constituent who had committed a murder, but who clearly did not come within the exceptional provisions that reduced murder to manslaughter. That person was no danger to the community. He had been on bail while he was on remand awaiting his trial; he had been walking to and from his home, meeting people in the street, and no one had seen anything wrong in that. Nevertheless, when he was convicted, the court had no alternative but to pass a life sentence.

In Committee, the Minister argued that some hon. Members who had voted in December for the

reintroduction of the death penalty had done so on the understanding that the alternative was a life sentence. He said it would be ratting on an agreement if we changed that now. I think that I understand that reasoning—as a reason why we should not have made the change in Committee, where other hon. Members cannot take part in the debate or listen to what is being said. But if that is applied to debates on the Floor of the House, any attempt to disturb the present position by hangers, or any lobby that they and their friends choose to muster, can mean no reform for the foreseeable future. Whatever motion was introduced, and however unlikely it was to succeed, the Government could claim after the vote that nothing must be changed because some hon. Members might have voted on the basis of the status quo. That would put an end for ever to all proposals for reform.

I urge the Minister to consider this matter on its merits. Not even the Home Office can consider that "Whatever is, is good." I think that those words come from Alexander Pope; no doubt I shall be corrected by the Minister if I am wrong. Some things that are, are not good. I do not believe that even the Home Office believes that everything that is, is good. It may even think that the existence of this provision does not make it right. Perhaps we shall have another first for the Home Office.

10.15 pm

Mr. Stuart Randall (Kingston upon Hull, West): This new clause has considerable support outside the House. In particular, it has the support of the Penal Affairs Consortium. We believe that life sentences for murder should no longer be mandatory. There would be a maximum sentence, and judges would be able to use their discretion to impose fixed sentences where that was appropriate. Hon. Members will be aware that, at present, a life sentence is mandatory for murder. No judge may alter it to take account of the circumstances of a particular case. The sentence imposed on someone convicted of a mercy killing is the same as that imposed on a terrorist murderer or a child sex murderer.

A recent survey by the Quaker Council for European Affairs, entitled "A fair deal for lifers" and dated 1990, found that the number of prisoners in England, Wales and Scotland sentenced to life terms was 3,054. That number greatly exceeded the combined figure for all the other countries of western Europe, which was 2,688. The report says:

"As information on numbers is only lacking from Switzerland, Malta, Liechtenstein and San Marino, it would be reasonable to assume that the United Kingdom has more life-sentence prisoners than the whole of the rest of western Europe."

If the number of life sentence prisoners in Northern Ireland had been added to the figure for England, Scotland and Wales, the total number for the United Kingdom would have been 3,503.

The report concludes that an important reason for the high number of life sentences in this country is the fact that the life sentence is mandatory in murder cases. For example, it seems that in many other countries of western Europe, a person convicted of a domestic murder would get a fixed sentence.

The mandatory nature of the life sentence has been much criticised. Making life imprisonment the maximum sentence, rather than the mandatory sentence, for murder was a recommendation of the Butler committee on mentally abnormal offenders in 1975—a recommendation to which my right hon. and learned Friend the Member for Warley, West (Mr. Archer) has referred—and of the Advisory Council on Penal Reform in 1978. My right hon. and learned Friend referred to several other august bodies that had made the same recommendation, but it would take too long to detail the findings of all those bodies. I shall therefore concentrate on the most recent report of the House of Lords Select Committee on Murder and Life Imprisonment, under the chairmanship of Lord Nathan.

The Nathan committee considered in detail the principal arguments for the mandatory life sentence, and rejected each one in turn. It had been argued that, because murder is a uniquely serious offence, it should attract a distinctive penalty to mark the revulsion with which society regards it. However, the Select Committee pointed out:

"some cases of murder will be less grave than some cases of attempted murder, or of manslaughter, or of causing grievous bodily harm with intent."

The committee quoted Lord Hailsham of St. Marylebone in R *v.* Howe in 1987, when he said:

"Murder, as every practitioner of the law knows, though often described as one of the utmost heinousness, is not in fact necessarily so, but consists in a whole bundle of offences of vastly differing degrees of culpability."

The Select Committee also pointed out that the definition of murder was not confined to intentional killings but could be satisfied when there was an intention to cause serious bodily harm.

It had been argued that life imprisonment is an appropriate retributive sentence for murder. In paragraph 110B, the Select Committee said:

"Another view is that the stigma which ought to attach to any particular murder varies according to the circumstances and should be marked by a sentence appropriate to those circumstances. Retribution demands a variable sentence."

It had also been argued that the mandatory life sentence was necessary for the protection of the public. The Select Committee pointed out that many murders were committed in domestic circumstances by people under immense emotional stress, who are unlikely to offend again.

It had been claimed that public confidence in the criminal justice system would be eroded if the penalty for murder became discretionary. The Select Committee argued that the reaction of the public

"varies greatly according to the circumstances"

and that the

"public seems to be well able to recognise powerful mitigation, even in the case of deliberate killing."

Ministers have argued that there would be considerable public opposition to moves to make life the maximum, rather than the mandatory, sentence for murder. However, such a reform would be in line with the views expressed by the families of murder victims in evidence given to the Nathan committee by Victim Support and the Parents of Murdered Children Group. The director of Victim Support, Helen Reeves, said:

"We want to put on record quite clearly that, from the families we have met . . . a long and determinate sentence, would probably be as satisfactory to the family as a life sentence."

Victims' groups also expressed concern that the existence of the mandatory life sentence led to many offences of murder being diminished to manslaughter. My right hon. and learned Friend the Member for Warley, West referred to the Gallup poll for "Public Eye". I shall not repeat what he said, except to say that the survey found that only 10 per

[Mr. Stuart Randall]

cent of people were in favour of individuals who had killed a terminally ill relative, who had asked to be killed, receiving a life sentence.

This is such a serious and complex matter that I must make all these points clearly. It has been argued that the abolition of the mandatory life sentence could present peculiarly difficult sentencing problems, because there were no precedents to guide a judge in imposing a determinate sentence for murder. The Select Committee said that the Court of Appeal would soon establish appropriate principles of sentencing for murder, as it has for other offences, and that the Lord Chief Justice did not appear to envisage any special difficulties.

It was argued that the mandatory life sentence is a valuable deterrent. In paragraph 114B of its report, the Select Committee said:

"The counter-argument is that the fact, that the life sentence is mandatory, actually reduces any deterrent value a life sentence may have. It dilutes what should be the awe-inspiring nature of the sentence. Because many murderers receive unnecessary life sentences, the average time served is reduced . . . if the life sentence became discretionary, the average time served by lifers would be substantially increased."

The life sentence became discretionary in the Australian state of Victoria in 1986, since when the incidence of homicide has remained about the same.

The case for change is overwhelming. Many life sentence prisoners could appropriately have been given fixed sentences. Murders vary enormously from planned and calculated killings for material gain or political motives to those committed under pressure and in circumstances of much emotional stress. We believe that judges should be able to reflect those variations in their sentences, reserving life imprisonment for the most heinous cases.

Mrs. Rumbold: Some peculiarly seductive arguments have been advanced by the right hon. and learned Member for Warley, West (Mr. Archer) and the hon. Member for Kingston upon Hull, West (Mr. Randall) on substituting life sentences for the mandatory sentence for murder.

The evidence that has been put before us is that a large body of public opinion believes that the mandatory life sentence is no longer required and that the courts would be a better forum for passing sentence on those convicted of murder. The British public trust the House of Commons to act and think on their behalf.

A body of opinion may think that the replacement of the mandatory sentence with a life sentence would be satisfactory, but we should define what we mean. The mandatory sentence for murder means not that people who commit murder go to prison for ever and a day but that for the rest of their lives they are under sentence and, although they may serve only relatively short sentences according to the nature of the murder that they committed, after release they are not at liberty in the sense that the rest of the community is at liberty because if they reoffend they can be recalled and returned to custody.

That is an important principle and it shows the difference between Labour Members and the Government. The right hon. and learned Member for Warley, West spoke of the uniqueness of the life sentence. It is unique because many people regard the crime of murder as a uniquely bad and heinous crime. Although we recognise the difference between someone who is unduly provoked into taking the life of another person in the heat of the moment and a calculated and planned vicious murder, and that each of those murders may attract different sentences, both people have taken the life of another person. The Government, and many people outside who do not articulate their views through "Public Eye" on BBC 2, believe that murder should attract a unique sentence. Some people may not articulate their view when questioned in opinion polls geared to getting a particular answer. As we all know, questions can be produced to look even-handed, but it is a sad fact of life that sometimes opinion polls reveal only what we wish them to reveal.

10.30 pm

This is a serious matter. We believe that the crime of murder is unique. A mandatory sentence means that people may serve a modest sentence in prison. When they are released, they may be recalled. Several cases justify retention of a mandatory sentence. A person released from prison may behave normally, but later in life he may reoffend and have to return to prison. It is important to retain a mandatory sentence to ensure the credibility of the system of justice which we uphold. I am unable to accept the new clause.

Mr. Archer: When the Minister said that our arguments were seductive, I hoped that she was about to announce that she was about to be seduced—hope springs eternal, at least on the Opposition Benches.

I was a little disappointed that the Minister seemed to take such comfort from the thought that someone who had been sentenced to life imprisonment would be under licence for the rest of his or her life. It is not the normal theory of the constitution that individuals should be at the mercy of the Executive for the rest of their lives. It would require a strong case to inflict that on anyone, and that that should happen, irrespective of the nature of the offence and whether the public needs to be protected and whether the offence is likely to recur—*[Interruption.]* The hon. Member for Stamford and Spalding (Mr. Davies) can stop the semaphore. I see that the Minister wishes to intervene and I shall, of course, give way.

Mrs. Rumbold: The right hon. and learned Gentleman is kind. I am grateful to my hon. Friend the Member for Stamford and Spalding (Mr. Davies), but I am sure he knows that I can compete with other right hon. and hon. Members on even terms.

The right hon. and learned Gentleman said that I took comfort from the fact that people who were released on licence were in some way different and that their liberties were infringed. Of course, what happens rests in their hands. They have no need to reoffend. Their liberties are not impaired, except at their own hands and by their own behaviour.

Mr. Archer: I wonder whether the right hon. Lady was present at our earlier debates. The burden of one of our debates was that if a person's liberties are at the mercy of the Home Office, it does not follow that what happens reflects that person's desserts. The European Court of Human Rights said that that did not follow. If a person's case is periodically reviewed by a court, we can hear the arguments and see what happens and there may be a possibility of appeal. If a person's liberty is determined inside an office where we cannot see what is happening and

there is no periodic review, it is not true that his fate depends on how he behaves—it may depend on the number of files on another person's desk.

I do not suggest that that happens regularly, but it is precisely why the textbooks on constitutional law and practice are so insistent that people's liberties should not be at the mercy of the Executive but should be determined by the courts. I am troubled that the right hon. Lady, at this early stage of her career in the Home Office, has such touching faith in the infallibility of the Department, and it makes it no easier for me to say what I am about to say.

A few moments ago my hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) said that murder may be regarded as unique but that that does not necessarily reflect the degree of moral culpability involved. The degree of moral culpability for a rape, an aggravated assault or an armed robbery may be greater, in the judgment of most of us, than for some murders. The argument that murder is unique is not a particularly strong one when reflected upon, and I hope that the right hon. Lady will do just that in the little time that remains for reflection. I do not think that any purpose would be served by pressing the matter to a Division, but the right hon. Lady cannot stop me hoping.

I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

[Mr. Archer]

New Clause 18

SENTENCING AN OFFENDER WITH A MENTAL DISORDER

'(1) Subject to subsection (7) below, this section applies where a person is convicted of an offence and the court is told in good faith or has reason to suspect that the offender is suffering from a mental disorder within the meaning of section 1(2) of the Mental Health Act 1983.

(2) The court shall not pass a custodial sentence on the offender unless it is of the opinion that—

(a) the offender's mental condition and his need, if any, for treatment will not be seriously and adversely affected by such a sentence; and

(b) that all reasonable and practicable steps have been taken to investigate and secure for the offender such treatment, if any, as may be appropriate for his mental disorder.

(3) Where a court passes a custodial sentence, it shall be its duty to state in open court that it is of the opinion that both of paragraphs (a) and (b) of subsection (2) above apply and why it is of that opinion.

(4) A magistrates' court shall cause the opinion stated by it under subsection (3) above to be specified in the warrant of commitment and to be entered in the register.

(5) For the purpose of determining whether it is of such an opinion as is mentioned in subsection (2) above, a court shall obtain and consider a medical opinion on the offender's mental condition and the likely effect upon this of a custodial sentence.

(6) In this section "medical opinion" means an oral or written report which is made or submitted by a registered medical practitioner approved for the purposes of section 12(2) of the Mental Health Act 1983.

(7) This section does not apply where the sentence for the offence is fixed by law.'.—*[Mr. Sheerman.]*

Brought up, and read the First time.

Mr. Sheerman: I beg to move, That the clause be read a Second time.

The purpose of this extremely important new clause is to ensure that courts will be obliged to obtain and consider a report on an offender's mental condition in appropriate cases, and shall not pass a custodial sentence until it is of the opinion that the offender's mental condition will not be seriously adversely affected by such a sentence.

We were talking this afternoon about debt defaulters being sent to prison. I said that it was ghastly that fine defaulters are sent to prison like the defaulters in Dickens's time. Perhaps I was slightly exaggerating, but I am sure that the House had some notion of the point that I was trying to make.

If we were looking for a major scandal in our criminal justice system, it would be necessary to focus only upon the mentally disordered who presently occupy our prisons, who find themselves in court and who find themselves dealt with in an entirely inappropriate way. There was much debate on these matters in Committee.

It is disturbing that many of the Government's social policies that bear on health, the closure of large mental institutions and care in the community have been slogans more than realities for many, who have found that they have nowhere to live and no work. They finish up—we can see some of them a short distance from the House—in cardboard city. We know that others end up in prison. Whenever I visit prisons, officers and governors say, "There are people here who should never have been sent here." They are talking about people who did not end up in prison 10 years ago. Surely it is ghastly that, over the past 10 years, the penal policy within the criminal justice system has led to many mentally disordered people being sent to entirely inappropriate places.

The policy of the Home Office is that the mentally disordered offender should be diverted from custody wherever possible; I refer the House to Home Office circular 66/90 of 3 September 1990. However, apart from the Mental Health Act 1983, which provides powers for the courts to order treatment in suitable cases, there is no legal obligation for the courts to consider the mental state of a defendant before sending him or her to prison. As the Bill stands, it makes no provision to oblige the court to investigate the mental condition of the defendant. The court will be required only to take that into account when other parties may have obtained relevant information about it.

The clause provides an opportunity to advance the Government's widely welcomed pledge to aid diversion by ensuring that defendants with needs arising from their mental disorder do not slip through the net into an entirely inappropriate penal system.

As this matter is not something about which the Government know nothing—we believe that they were persuaded of it in Committee—we had high hopes that, on Report, they would produce some positive amendments. No one can avoid understanding that this is a scandal. We are not trying to make this into too much of a party political issue, but if it were not so late and we had not therefore decided that we shall probably not seek to push the new clause to a Division, we might be marshalling much more political arguments in this discussion. However, we shall not do that, because we want to persuade the Government.

The problem is apparent. One of the most ghastly inequities in our country today is the fact that mentally disordered people are in prison, where they should not be. The new clause gives the Government an easy way to stop that. It states simply that there should be a proper psychiatric assessment of prisoners coming to the attention of the court.

Dame Jill Knight: I have read the new clause with great interest, and have one question about it. Although none of us wants a person who is suffering from a bad mental disease to be imprisoned thoughtlessly and carelessly, what about mental patients who have, say, hacked somebody to death and are a real danger to the public? I am worried that the new clause does not refer to that aspect.

Mr. Sheerman: Although I shall come to that point later, I shall try quickly to put the hon. Lady's mind at rest now. In a severe case, where someone who is mentally disordered hacks someone to death, psychiatric opinions will of course be advanced in court. In such severe and dramatic cases, psychiatric evidence becomes available as part of the prosecution and defence structure of our court system.

The new clause seeks to deal with the fact that, if the research is correct, up to 20 per cent. of people in our prisons are suffering from some form of mental disorder. I do not know whether that figure is too high or too low, but that is the figure that people are giving us. There is also the anecdotal evidence that I have already mentioned, of prison governors and officers saying, "We are not a mental institution, but we are being asked to lock up people not

because their behaviour is criminal but because their mental state leads them to commit crime." There is a difference.

I hope that I can put the hon. Lady's mind at rest by saying that the new clause would require all the sentencing courts to have regard to the mental condition of a defendant who it reasonably suspects or is told in good faith has a mental disorder within the meaning of the Mental Health Act 1983. To some degree, that already happens. In my experience, most courts are quite caring places. A police officer, probation worker or court official will often flag the fact that the case is not what it seems, and that the defendant needs medical attention.

At its best and in that informal way, our court system works, but it is not working in that way enough. The procedure is patchy and unsystematised. The court cannot pass a custodial sentence upon such a person unless it is of the opinion, which has to be stated in open court, that a custodial sentence will not "seriously and adversely affect" the offender's mental condition and his or her need, if any, for treatment; and that "all reasonable and practical steps" have been tried to investigate and secure for the defendant any treatment which he or she needs. The court has to obtain a medical opinion on the defendant's mental condition and the likely impact of custody upon him before it forms its opinion.

A medical opinion can be supplied orally or in writing by a doctor approved under the Mental Health Act 1983. In practice, it is usually a consultant psychiatrist or senior registrar in psychiatry.

The court would not be under that duty when the offence was murder. Medical reports are always obtained in murder cases, in any event. I told the hon. Member for Birmingham, Edgbaston (Dame J. Knight) that I would come to that.

10.45 pm

Too many mentally ill people are in our prison system. The Home Office has commissioned research, which is continuing. Perhaps the Minister will enlighten me if progress has been made. The research is being undertaken by Professor John Gunn into the psychiatric profile of the sentenced prison population. His findings have not yet been published, but, on 2 October, *The Observer* contained an article on the expected findings of the report. It said that more than a fifth of sentenced prisoners were mentally ill, including many in acute need of psychiatric treatment which they did not receive. The findings suggested that more than 1,000 sentenced prisoners fell into the acute category within that band. We are therefore talking about large numbers of mentally ill people inside our prisons.

Since we discussed the matter in Committee on 11 December, two key reports have been published, which are of great relevance to today's debate. I shall describe them briefly.

First, on 14 December 1990, the Home Office published Judge Tumim's scathing report on Brixton prison. Its most grave criticisms were of the medical facilities in the gaol. These were described as understaffed, underskilled, operating in crowded and wholly inappropriate physical conditions, where the strip cells, for the most disturbed prisoners, held a permanent smell of urine, the walls bore faecal stains and the mattresses were dirty. The report considered that insufficient use was being made of section 48 of the Mental Health Act 1983 to arrange the transfer from prison of the mentally ill prisoner requiring treatment.

I am going through the evidence quickly, because I do not want to detain the House too long; but it is important to put the evidence before the House. The report revealed that Brixton prison is a major source of psychiatric reports for the criminal justice system. It performed that role in more than a third of the total number of cases in which reports were obtained. The cost during 1988-89 of a week's remand in Brixton for this purpose can be simply averaged at £402.

On 19 December, the Home Office published the report of the chief inspector of prisons into suicide and self-harm in prisons. As the Minister will know, it makes ghastly reading. It revealed details of suicides in prison. It detailed graphically the vast difference between the treatment which a mentally ill prisoner would receive from the prison medical service and that which he or she would receive from the national health service, and the inability of the prison medical service to meet the needs of the seriously disturbed, and especially the non-compliant, prisoner.

The report's 123 recommendations include many which are relevant to the mentally ill or mentally disturbed prisoner. It accepted the connection between mental disorder and suicide in a proportion of cases—22 per cent., according to the study by the National Association for the Care and Resettlement of Offenders, which is referred to in the report. In over 33 per cent. of suicide cases, the person had a history of psychiatric contact, while over 25 per cent. had had previous treatment as an in-patient. Responding to the report, the Home Secretary referred to the "disproportionate number" of mentally disordered prisoners who take their own lives.

I hope that the House accepts that that evidence is relevant to the new clause. The report proposed that, in the interim, and before the NHS had built up its facilities, certain prison medical wings should be upgraded to NHS standards. That recommendation also appeared in the Brixton report. The Home Secretary responded by stating that a group convened by the director of the prison medical service was to consider the proposal. But the pressure group MIND believes that the proposal has already been rejected by the Home Office and the Department of Health. I should like the Minister to comment on that.

At the same time, Judge Tumim stressed the need for diversion from inappropriate penal custody of the mentally disordered defendant. He recommended the duty psychiatric rota scheme in operation at Bow street, Marylebone and Horseferry road magistrates courts. To test the patience of the House just a little—this is an important matter—I shall outline to the House what that scheme is. The scheme provides rapid and effective assessments to the court from a psychiatrist attending the court. The provision of such cost-effective schemes in every busy court would avoid the possibility that the amendment to clause 3 would lead to remands into custody simply for the purpose of obtaining medical reports.

I could understand it if the Minister said that this was a difficult problem and that he did not want to see more mentally disturbed people in prison for psychiatric reports. However, the Tumim report suggests that a duty psychiatrist service could be organised quickly throughout the court system to provide a rapid assessment of a

person's mental state. That report would not require that person to be held for a week in Brixton or Armley, where he would be prone to take his life or his mental illness could be exacerbated. Such assessment schemes are already working.

In Committee, confidence was expressed in the prison medical service. I recall that the Minister of State stated:

"It is recognised that excellent work is being carried out by the highly-qualified people who are involved in the prison medical service".—[*Official Report, Standing Committee A*, 11 December 1990; c.143]

The Minister and I must agree to disagree on that. I suppose some good work is undertaken somewhere, but every report I have seen states that it is about time that we got rid of the prison medical service and allowed prisoners to come under the care of the NHS. That would be a healthier and better system, and it is advocated by many prison visitors.

The annual report of the chief inspector of prisons in 1989 also criticised prison medical facilities. The prison medical service scrutiny report of July 1990 found:

"There is no clear definition of the standard of clinical care expected"

in the service. In October 1990, the British Medical Association published critical findings in its report on the health care of remand prisoners.

It is no longer possible to be in the least complacent about that scandalously inadequate service. I hope that the Minister agrees that it is imperative to take swift action to ameliorate that appalling situation. The Government's welcome circular of September 1990 must be backed up by legislation now. We are concerned that the circular, in common with some of the rhetoric on community care, means nothing without national implementation backed by adequate resources.

The courts need diversion schemes with rota psychiatrists available to provide assessments. Health authorities may need to provide psychiatric care beds while social and probation services will need to offer community facilities such as psychiatric bail hostels. Before the Minister says that all that would be expensive, it is important to remember that savings would result from such services. I have already said that it costs £402 to remand someone in Brixton for a week. Our proposal would speed the introduction of duty psychiatrist rota schemes in courts. They are already operating in some places, and we must extend their use, as it will result in fewer remands in custody that carry such hugh costs in financial and human terms.

Diversion from custody for those who are mentally disordered can be greatly advanced by improving the quality of the decisions affecting them. Too often, those people have suffered from indifference, discrimination and prejudice at the hands of the authorities charged with their care. Those authorities are not wicked, as one cannot blame a criminal justice system that does not have specific training in how to treat the mentally disordered. Our system is designed to deal with "normal" criminals.

I am not criticising the personnel, the training they receive or their motivation. It is just a fact of life that the criminal justice system is designed to deal with "normal" criminals. If we ensured, however, that the courts sought expert advice, there would be less chance of ill judged or inappropriate sentencing decisions on the mentally disordered.

It is now the policy of the BMA that each court should have a duty psychiatrist rota, so there should be no difficulty in obtaining the co-operation of that profession. Our proposal could also give impetus to the Government's circular 66/90, which calls on courts to establish arrangements for speedy access to professional psychiatric advice.

A parliamentary answer that I received on 3 December stated that no information was available on the number of schemes that had been established. Perhaps the Minister can expand on that answer, because I am surprised that the Home Office does not know how many schemes are in operation or have been established. It is not enough simply to state that such schemes are desirable; we need action now. If, because of resource implications, the Government are unwilling to tolerate a statutory duty that completely mirrors the previously expressed policy that they tried to introduce in the criminal justice system, the policy clearly lacks conviction, and its implementation will be constantly compromised.

When we discussed the subject in Committee, the Minister said:

"I give a clear undertaking that I shall examine the issues and bring forward Government amendments on Report."—[*Official Report, Standing Committee A*, 11 December 1990; c. 151.]

Where are those amendments? The Opposition are dismayed at the Government's failure to respond to such a key issue. Prison is the worst place for someone whose mental condition is amenable to treatment from which he would benefit. It serves neither the public interest in reducing the likelihood of further offences, nor the individual interest of the offender who requires treatment. He or she should be entitled to decent treatment and care.

If we make it harder for the courts to commit defendants to such conditions, we may save the lives of those whose mental disturbance leads to suicide, encourage the rapid development of the co-ordinated and comprehensive schemes, and make the idea work in practice.

As the hour is late, I have not done justice to my argument. Many new clauses have been moved faster than I have moved this one, but new clause 18 is of the greatest importance and affects many of the most vulnerable people in our society, who should not be in prison and who could be easily diverted from it if the Government were to accept the new clause. I hope to hear a positive response from the Minister.

Mr. John Patten: My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) was absolutely right that we should put the protection of the public first when considering the position of people with mental problems. One of the most difficult problems facing a Minister of whichever Government is when someone who is found guilty of a terrible crime such as murder is also found to be mentally ill and is taken for treatment to an institution rather than a prison. Recommendations sometimes come to Ministers after a very brief period—two or three years—suggesting that the person is cured and because he was not a criminal he should be allowed into the community. I find such decisions some of the most difficult that I have to take. I reassure my hon. Friend the Member for Edgbaston, who made an important point, and other hon. Members, that the Home Office will continue to take such decisions with very great care.

I hope that, as with our debates on racial discrimination, there is no difference between the two teams of Front-Bench spokesmen about the end we wish to

achieve. We must find a way of squaring the circle that enables the court to identify, and obtain reports quickly on, those suspected of being mentally disordered without defeating the purpose of the exercise by having to put them on remand in custody for a long period awaiting those reports. That is an extremely difficult issue to deal with practically. The problem of reconciling the two conflicting objectives is, essentially, a practical, not legislative, one. I shall talk first about the practice and describe my ideas on legislation later in my speech.

We need arrangements for psychiatric reports to be made at short notice, otherwise the purpose of what the hon. Member for Huddersfield (Mr. Sheerman) and I want to achieve—to have fewer mentally disordered people in gaol—will fail because they will be in prison for a long time, kicking their heels, waiting for a report.

There are very few schemes in operation in this country where duty psychiatrists are on hand to give a rapid assessment. I saw one such scheme in action at Bow street. There are only three others in the country: one at Great Marlborough street, one at Horseferry road and one in Peterborough. Opposition Members' instant reaction might be to blame that on lack of resources from the Government, but even if we turned on the tap of money tomorrow, we could not possibly provide the necessary schemes all over the country within a year. There are just not enough psychiatrists. Not enough of them have been trained to do this difficult job. The royal college is tackling that problem now.

11 pm

If we introduce this legislation now, we shall be laying a trap for ourselves. There are effective schemes only in the three places I mentioned, yet we would give judges the legislative duty to remand in custody people awaiting reports. The result would be even more people in the conditions to which the hon. Member for Huddersfield referred.

So this is not an occasion for waving the magic wand. Even if that prodigious kind fairy, my right hon. and learned Friend the Chief Secretary to the Treasury, were able to provide the money tomorrow, there are not enough psychiatrists to do the job at present.

I agree that we need to change the legislation. I continue to consider whether we should send a clear legislative signal in the Bill to show the courts more clearly how they should try to strike the difficult balance between unnecessary remanding in custody for psychiatric reports and sentencing to imprisonment mentally disordered offenders who should be dealt with in other ways.

When I gave the commitment in Committee to which the hon. Member for Huddersfield properly referred, it had not crossed anyone's mind that we should look at the workings of the Bail Act 1976. We are now taking a hard look at the parallel workings of that Act, to determine whether it might be possible to improve matters by altering it in this legislation.

I am continuing to work on the legislative possibilities with the aim of introducing a proposal in another place. I have taken into account new difficulties that have been identified; I have reflected on the issues raised in Committee; and I have stumbled on new possibilities involving the Bail Act. I hope that in the light of that further undertaking the hon. Member for Huddersfield will see fit to withdraw the motion.

Mr. Sheerman: I thank the Minister for his remarks. I am encouraged by his commitment to further consideration.

I had understood from the British Medical Association, however, that there was no problem. Is the Minister saying that the Institute of Psychiatry claims that there is a shortage of manpower? If there is a shortage, how long does the Minister think it will take to solve the problem?

Ministers always manage to mention the Chief Secretary to the Treasury, but are we really talking about a great deal of money? Any cost analysis must take into account how much will be saved by not sending people unnecessarily to prison. We need a proper costing of the operation, not a one-sided analysis.

Assuming that I am granted assurances on these matters, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

RESTRICTIONS ON IMPOSING CUSTODIAL SENTENCES

Mr. Randall: I beg to move amendment No. 86, in page 1, line 13, at end insert

'and the court passes a custodial sentence on the offender for a term of more than two years'.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to discuss Government amendments Nos. 2 and 3.

Mr. Randall: The amendment is widely supported by informed opinion outside the House. Its aim is to extend the criteria governing the use of custodial sentences.

Hon. Members will recall that clause 1(2) of the Bill lays down the conditions whereby custodial sentences shall not be passed; it also refers to offences triable only on indictment, where the sentence is of two years or less. As it stands, the clause requires the criteria to be satisfied in all cases where the offender has not served a prison sentence, but in other cases where an offender is convicted of an indictable-only offence the Bill allows courts to pass a custodial sentence without giving reasons and without having to justify the sentence in line with the criteria in clause 1(2).

There are several reasons why the criteria should be extended to indictable-only offences. The basic argument for the criteria in clause 1 is that having to give reasons to justify custodial sentence of grounds relating to the seriousness of the offence or the need to protect the public from serious harm is a valuable discipline which should help to reduce the likelihood of inappropriate custodial sentences.

A subsidiary but important argument is that, if there is a subsequent appeal against the sentence, the existence of the statement of reasons helps everyone involved in the process to decide whether the sentencing court's reasoning was acceptable or not.

These arguments apply just as much to custodial sentences imposed for indictable-only offences as to custodial sentences for summary or either-way offences.

Many indictable-only offences cover a very wide spectrum, in some of which a community penalty is entirely appropriate. Robbery, for example, ranges from armed robbery to offences in which the degree of force was relatively slight and the amount stolen small. In recent years about a quarter of offenders convicted of offences

[Mr. Randall]

triable only on indictment—that is, in England and Wales—have been given non-custodial or suspended sentences. In 1986 the figure was 26 per cent., in 1987 it was 25 per cent., in 1988 it was 26 per cent. and in 1989 it was 24 per cent. Therefore, if the statutory criteria do not apply in indictable-only cases, certainly the discipline of applying them would not be present in many cases where a community penalty is a realistic possibility.

In Committee, Labour Members introduced an amendment to extend the criteria in clause 1 to all indictable-only offences, excluding those for which the penalty is fixed by law. When the amendment was discussed on 29 November, the hon. Member for Oxford, West and Abingdon (Mr. Patten) said:

"It would be wrong and inappropriate to require the Crown court to follow the detailed procedures in clauses 1 and 3 in every serious case in which an offender has repeatedly committed serious or violent crimes . . . We are trying to give guidance to judges about the way that Parliament will seek, in future, to see sentences handed down, but not to go so far as to make a judge sit up straight and say, 'This is ridiculous. Why should I have to give a reason for sentencing someone who has just committed a dreadful aggravated burglary or a terrible rape? Why should I have to go through the hoops and say in open court why this man or, more rarely, this woman should get an immediate custodial sentence?'"—[*Official Report, Standing Committee A*, 29 November 1990; c. 23-26.]

The revised amendment meets the point that the Minister made in Committee. In those serious cases where a long prison sentence is inevitable, the judge should not have to give reasons, in line with the criteria for custodial sentences in clause 1. We are arguing that, by imposing a requirement to give reasons for custodial sentences of two years or less, the amendment would ensure that the discipline of applying the criteria in the indictable-only cases makes a community penalty a realistic possibility. An argument against the amendment is that it might tempt judges to pass sentences of more than two years when they would otherwise have passed a short one. However, it is extremely unlikely that judges would give longer sentences simply to avoid giving reasons. This is a reasonable amendment, and I hope that the Government will look favourably on it.

Mr. Humfrey Malins (Croydon, North-West): I begin by declaring an interest as a solicitor and an assistant recorder, although the incomes from both sources is not enough even to cover my mortgage, given the interest rate.

I respect the expertise of my right hon. Friend the Minister in penal reform and sentencing policy. He combines that with a sensitivity and decency that are widely respected on both sides of the House. My query arises out of line 20 and the words "serious harm". Those words have troubled the judiciary. In the Criminal Justice Act 1988, one of the criteria for sentencing, which is also set out in clause 1(2)(b), was that a custodial sentence was needed only when it

"would be adequate to protect the public from serious harm from him".

In dealing with young offenders, the courts felt that "serious harm" meant physical harm, rather than more general harm, to the community. That definition gave judges problems.

Let us take the example of a 25-year-old man with eight or nine convictions spread over three years. All the convictions are for crimes that are not so serious individually as to give a court a chance to impose a custodial sentence. He may have committed what one could call gentle burglaries during the day time, wandering into somebody's house and being a nuisance, although doing so without any aggravating factors against people or breaking in. He may have taken away and driven a car, which is not a serious crime although it is a nasty business for the owner of the car.

The man may have been dealt with leniently in respect of all those offences—conditionally discharged once, fined, placed on probation, given a bigger fine, given community service, placed on probation again, and so on. He comes before the court and pleads guilty to another single charge of the same sort. Let us place ourselves in the position of the sentencing judge. The court may have concluded that the young man is such a nuisance to his locality, causing trouble by his regular burglaries and taking and driving away, that he should be sentenced to a short period of custody. Under Clause 1(2), is it possible for him to be sent into custody? The first part says that the offence was so serious that only such a sentence could be justified. He will not be caught under that limb, will he? The second part says that only such a sentence would be adequate to protect the public from serious harm from him. It cannot be said that the harm is physical, but equally the harm to the general public might be substantial in terms of nuisance value.

11.15 pm

I should like my right hon. Friend to guide me on whether serious harm means physical harm. I would prefer it to mean physical or otherwise, to cover a case like the one that I have mentioned. My right hon. Friend may draw my attention to clause 3(3), which says that previous convictions can be relevant to forming an opinion as to the seriousness of the offence. If he does, I should like it confirmed, if possible, that the seriousness in effect relates to non-violent and violent behaviour. It is important that judges' hands be not tied too much.

My right hon. Friend may say that under the legislation there is a possibility of sending someone to prison for such an offence if he is a professional crook, a recidivist—someone who commits burglary professionally time after time. There may be examples of young men who cannot be described as professional crooks but who are perhaps persistent—for want of a better word—nuisances in their own locality. Is there an opportunity under the Bill for them to be sent into custody at any stage? I hope that my right hon. Friend will be able to help me.

Mr. John Patten: First, I will deal with amendment No. 86. Then I shall examine the issues raised by my hon. Friend the Member for Croydon, North-West (Mr. Malins) in his welcome intervention. I shall end with a panegyric in praise of the Government amendments which I hope will carry the House.

I am grateful to the hon. Member for Kingston upon Hull, West (Mr. Randall) for explaining the reasons behind amendment No. 86. It has been said many times during the passage of the Bill that a custodial sentence should be imposed only when it is the just desserts of the offender. We agree on that. However, I do not think that the amendment is helpful in that respect.

Let me remind myself and the House of what clause 1 does. It imposes restrictions on the use of custody for all summary and either-way offences and for indictable-only offences where the offender has not previously been in

prison. Indictable-only offences are of their very nature serious. That is why they are indictable only. If the offender has previously served a prison sentence, we do not think that it is right to ask the courts to apply the full rigour of clause 1 before passing sentence. As the clause stands, the courts will know when they begin to sentence whether the offender is someone who should be hit by the full weight of clause 1.

I understand the reasons for the amendment, but I think that it would create a serious logical difficulty. The poor old court would have to decide whether the offence deserved a sentence of more than two years before it could tell whether clause 1 would apply. If it did, the court would have to start all over again to determine the sentence, this time applying clause 1. So, by virtue of clause 1, the court would have to consider again whether the offence was serious enough to justify the sentence. In such circumstances, the Crown court proceedings would become a logical maze at best or a pantomime at worst. I prefer to rely on the well-known Court of Appeal route to deal with problems arising from wrongful interpretation.

On the problems raised by my hon. Friend the Member for Croydon, North-West—Mr. Assistant Recorder Malins—I think that he is on to a good point in considering seriousness. As he knows, there is nowhere any definition of seriousness. There is not, at the end of an Act, a long schedule or list of things that are judged to be serious or not serious. In the end it is up to Crown court judges, recorders or assistant recorders to decide what is serious and what is not. The example quoted by my hon. Friend of a persistent burglar is covered by clause 3(3), under which the courts can take into account mitigating and aggravating circumstances. Clearly, in the example given by my hon. Friend, the circumstances of the previous offence aggravate the seriousness of the current offence. There is therefore no need to involve the criterion of protecting from serious harm in such a case, and the people who might be terrorising my hon. Friend's constituency are, I think, catered for adequately by clause 3(3). None the less, I am grateful to my hon. Friend for giving me an opportunity to clarify the point.

I resisted amending the Bill in Committee because I felt that the arguments adduced for removing the words "or otherwise" from the clause were worthy of consideration, but that we should not rush into it. Having taken a good, long, hard look at the matter, I have concluded that restricting clause 1(2)(b) to violent or sexual offences in line with clause 2(2)(b) is logically correct and will make for simplicity of sentencing. It resolves the logical difficulty that was pointed out in Committee and emphasises the clear distinction between property crimes and violent and sexual crimes that is reflected throughout the other sentencing provisions in the Bill. I hope that the House will accept the Government amendments.

Mr. Randall: I confess that I am a little disappointed by the Minister's response. I thought that we had addressed all the arguments that he advanced in Committee and come up with a lovely shiny new amendment that would enable us to put fewer people in prison. The aim was to enable indictable offences to be tested by the criteria in clause 1 and to try to limit the number of indictable offences that were considered by introducing the two-year time scale. I thought that that was rather a novel way of dealing with the matter.

Many indictable offences now result in non-custodial sentences—about a quarter. I felt that many such cases were not harmful; people were not being put in prison. I thought that the amendment would enable people who had committed such offences to be dealt with outside prison. The motive was good. I think that we should use the amendment as a flag, waving it at the Lords and perhaps persuading them to consider it.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 2, in page 1, line 19, at beginning insert

'where the offence is a violent or sexual offence'.

No. 3, in page 1, line 20, leave out from 'him' to end of line 21.—*[Mr. John Patten.]*

Mr. Harry Cohen (Leyton): I beg to move amendment No. 93, in page 1, line 22, at end insert—

'(c) and, in the case of a sexual offence, in addition to subsection (2)(a) or (b) above, that the offence involved persons under the age of 16, or the offence took place without the consent of one or more of the persons involved.'.

Madam Deputy Speaker: With this we may take the following amendments: Government amendment No. 4, and amendments Nos. 36, in page 2, line 35, at end add 'or

(c) in the case of a sexual offence, the offence involves persons of the age of 16 or over, and the offence takes place with the consent of all the persons involved.'.

No. 94, in page 2, line 35, at end insert,

'; or—

(c) in the case of a sexual offence, the offence involved persons of the age of 16 or over, and the offence took place with the consent of all the persons involved.'.

Government amendment No. 14, amendment No. 1, in page 18, line 29, leave out

'30, 31 and 33 to 36'

and insert

'13 and 30 to 36'.

No. 95, in page 18, line 30, leave out

'the Sexual Offences Act 1967'

and insert

'section 1(3) and (4) of the Sexual Offences Act 1967.'.

No. 38, in page 18, line 30, leave out

'the Sexual Offences Act 1967.'.

and Government amendments Nos. 15 to 17.

Mr. Cohen: Amendment No. 93 provides that a court shall not pass a custodial sentence unless it believes that the offence involved persons under 16, or that it took place without consent. It applies two principles. First, there should be no discrimination between heterosexual and homosexual offences, which should be dealt with equally under the law; secondly, "consensual" offences involving no victim, and involving people aged 16 or over, do not warrant being classified as serious sex crimes and should not be punished with custodial sentences. I welcome the Government's similar statements of principle. I am thinking, for example, of their amendments in relation to merchant seamen. However, I think that they have come adrift. What I seek to do is to give effect, in law, to those principles.

A Home Office press release of 8 February refers to the Minister's letter to the hon. Member for Hornchurch (Mr. Squire), who is in his place. That press release says of clause 25:

"the provisions are not intended to discriminate against homosexual or heterosexual offences."

[Mr. Cohen]

The Minister's letter says:

"It will therefore be clear from what I have said that the sentencing provisions of the Bill, supported by the definition of 'sexual offences' in clause 25, have nothing to do with increasing the penalty for victimless homosexual offences or, indeed, changing in any way relative seriousness with which the law regards offences of a homosexual, as opposed to a heterosexual, character."

That explains the principle. Indeed, it follows up a response of the last Home Secretary, whose new name I can never remember. One of my hon. Friends refers to him as Lord Waddington of Strangeways, but perhaps that is a bit too rude. When he was Home Secretary this question was put to him by the hon. Member for Hornchurch:

"Will he undertake to look closely at clause 25 which, it has been suggested, would increase the punishment for minor offences such as soliciting by men or women? If that is so, I am sure that many hon. Members would suggest that much higher sentences for those offences are not appropriate."

The then Home Secretary replied:

"I do not believe that my hon. Friend can be right. Clause 25 does not refer to that. If he will have a word with me afterwards, I shall see whether there is anything I can do to meet his point."—[*Official Report*, 20 November 1990; Vol. 181, c. 143.]

Clearly, the Minister of State, in his letter, is trying to fulfil that undertaking. A Home Office press release of 15 October says:

"It has never been the Government's intention that the Bill's provisions should increase in a discriminatory way the penalties of homosexual offending."

While welcoming those principles, I seek to have consenting homosexual behaviour removed from the list of serious sex crimes. It is quite wrong that victimless behaviour should be on a par with genuinely serious sex offences, such as indecent assault or child sex abuse. Indeed, the Government have virtually acknowledged that. The latest press release, issued on 1 February, gives two more examples: coercion of a victim—a schoolmaster abusing a position of trust to take advantage of pupils—and an unsuccessful attempt to entice a young child of either sex to go with the offender. I do not think that those offences need to be covered by this clause; they can be dealt with by existing laws against indecent assault or attempted indecent assault on a child or a man.

The Government's amendments, although they are welcome, leave in place three types of consenting homosexual behaviour as serious sex crimes. These are soliciting, indecency and procuring. Clearly, the Government are still in a muddle. They deleted procuring from the Sexual Offences Act 1967, but left it in the 1956 Act, which is the most used—in fact, all 346 convictions in 1989 arose from its provisions.

I will give another example of the way in which the Government are in a muddle. Consenting homosexual soliciting, indecency and procuring are listed in clause 25 as serious sex crimes, but not one of the equivalent heterosexual offences is listed. That runs counter to the principles that the Minister annunciated in his letters.

This is about sentencing. I want equality and the best way to achieve that is not to imprison either heterosexuals or homosexuals in cases of consenting sexual offences where all the persons involved are 16 or over.

Soliciting, indecency and procuring are left in the clause. A total of 2,311 people were convicted of those offences in 1989, including 90 people gaoled for up to five years. In addition, some people were given cautions. That is the highest level of convictions and cautions since the mid-1950s when homosexuality was still illegal. That is disturbing and we must be concerned that homosexuality could be on the way to being recriminalised. Peter Tatchell, of the organisation Outrage, said:

"This legislation intensifies the criminalisation of gay sexuality. It reverses the liberalising trend of the last three decades. Clause 25 takes us back to the pre-Wolfenden days when homosexuality was seen as a threat and menace which had to be repressed by law."

Clearly, the Government have moved a bit since then, but the danger of recriminalisation still remains.

11.30 pm

Soliciting and procuring have nothing to do with prostitution. Keeping those offences in clause 25 criminalises attempts to arrange and facilitate homosexual relations, even where those relations are completely legal. Keeping indecency in the clause penalises affectionate acts between men outside the privacy of their own home. That can include things as irrelevant—in my view—as kissing, caressing and hugging and activities at lovers' lane locations. As a result, we often have elaborate and expensive police entrapment arrangements. Heterosexual couples involved in similar behaviour are almost never prosecuted.

Seven types of commonplace homosexual behaviour are covered by the three items still included in clause 25. These include: introducing two men who fancy each other and subsequently have sex; allowing two men to stay overnight in one's house and to have sex in one's spare bedroom; cruising and chatting up other men or exchanging names and telephone numbers in a public place; all gay sex where more than two people participate; any form of homosexual activity involving a man aged between 16 and 21; gay sex in a bedroom in a private house while other people are present in other rooms, for example, a flatmate watching television in the living room, and all sexual or affectionate contact between gay and bisexual men of any age outside the privacy of their own home—including cottaging, sex in lovers' lane type locations and even mere caressing, kissing and cuddling. The purpose of my amendment is to ensure that those should not be categorised as serious sex crimes resulting in imprisonment.

There are three other disparate but relevant matters. I have written to the Minister about sentencing in my area. Waltham Forest courts have been handing out fines of about £250 to gay and bisexual men convicted of consensual indecency. Yet the same judges have fined men only £50 for brutal sexual assaults on women and only £20 for racist abuse and threatening behaviour. That cannot be satisfactory.

A constituent of mine, Ms. Woolfson, has written to me saying:

"We are supposed to be living in a 'free' society, but it seems that the Government is imposing a certain or conforming standard of existence on its subjects. Surely people should have the right to make up their own minds how to live their lives, (without harming others of course).

Many homosexual people live ordinary lives without harm to anyone.

If clause 25 becomes law, judges will have the power to impose much harsher sentences on gay and bisexual men convicted of consenting behaviour and thousands more gay men could face imprisonment and wrecked lives."

I received a letter from the National Association of Probation Officers. It says that the clause has no equivalent in other European jurisdictions and that

"Some courts may construe this behaviour as physically or psychologically harmful. In view of the extent of homophobia within the criminal justice system, NAPO would support continued attempts to delete the two above offences from clause 25.

Repeat offences are not commonplace. The law criminalises activity which is not unlawful in most of Europe and which, for many men, is the only feasible means of sexual contact."

It is wrong to put consenting offences by homosexuals on a par with the sexual abuse of children. The Government's formula that those offences may be "physically or psychologically injurious" to members of the public is a gross loophole, because it is poorly defined and gives huge discretionary powers to the court. Judges may be intolerant or illiberal and impose severe punishment. Alan Sampson of the Prison Reform Trust says that he fears that the powers in clause 25 could be misused.

The issue is consent, and all consenting offences should be deleted from the list of serious sex crimes in clause 25. I urge the Minister to accept my amendments, which would implement the Government's stated intentions, or at least to give a firm commitment that they will think again and table new amendments.

Mr. Robin Squire (Hornchurch): The amendments are important, but the fact that we are debating them at a late hour inevitably means that we will probably not do them justice. I shall not detain the House, partly because my voice is going.

I welcome the Government amendments. My right hon. Friend the Minister received appeals and was under pressure, if that is the right word, from several of my hon. Friends and others on the original wording of clause 25. He rightly understood that it was capable of misinterpretation. The points made by the Stonewall group were welcomed and valuable and they enable the Government amendments to clarify much of what was creating considerable concern among the lesbian and gay men community. I hope that my right hon. Friend will give due recognition to the support that he received from it.

I hope that my right hon. Friend the Minister has not closed his mind to further amendments to the clause. I shall not echo the speech of the hon. Member for Leyton (Mr. Cohen), although he made several legitimate points that should find sympathy among hon. Members.

We should carefully consider whether the clause would apply to consensual offences. Amendments moved in another place could make clear the crimes from which we are determined to protect the public, particularly our youth, but stress that different considerations apply to adults.

I hope that the Government will carefully monitor the way in which the courts interpret the clause. I do not doubt the commitment of my right hon. Friend the Minister, to which the hon. Member for Leyton referred. My right hon. Friend is an honourable man and I know that he means what he says. The way in which the clause works in practice will determine the way in which people respond to the Bill and to the Government's improvements to it. I support the Government's amendments.

Mr. Andrew F. Bennett: I support the amendment moved by my hon. Friend the Member for Leyton (Mr. Cohen) and the comments of the hon. Member for Hornchurch (Mr. Squire), who said on Second Reading that there was a problem. The problem was not one that the Government set out to create but one into which they stumbled because of the drafting.

We had a brief debate in Standing Committee, when I pressed the Minister to think further about this matter. I am grateful to him for tabling some amendments at this stage. I view this matter slightly wryly, because some hon. Members criticised me for not pressing the measure to a vote in Committee. We have done better by not having a vote and getting the Minister to consider it again. I urge my hon. Friend not to press for a vote tonight, in the hope that he will consider it further. He has gone a long way towards meeting our worries, although considerable concerns still exist.

The first principle of the law is that it should protect people from the activities of others. I find it difficult to envisage the concept of a victimless crime. We do not need to involve the law in protecting individuals from consenting acts. I accept that young people must be protected, but it is odd that we have a law that says that people may participate in heterosexual activities when they are 16 but we restrict people from participating in homosexual activities until they are 18. That is illogical. We cannot alter that in the Bill; we can only alter the nature of the crime.

It is worrying that people can be kept in prison not on the basis that they are being punished but so that society can be protected from them. There should be somewhere more appropriate than prison to keep people if they are a danger to society, having already served their sentence.

The Government are increasing the penalties for those who commit serious crime in order to reduce it and to protect the public from it. In clause 25, they have scooped into the pool a series of serious crimes. I hope that the Minister will carefully consider the offences that are still in this category which involve consenting adults, and assure us that he does not intend that the courts should increase the penalties.

The Bill is designed to increase penalties and increase protection, and one would not expect the courts to increase the punishments imposed on those who commit serious crimes in this category. That is not what the Government intended, and it is not what should happen. I understand that groups such as Stonewall feel that the Government have gone a long way towards meeting their concerns. Outrage and Peter Tatchell feel that they have not gone far enough. Much of the difficulty arises from the Bill's complicated construction and the fact that it refers to two previous pieces of legislation.

I shall listen carefully to the Minister's explanation of how he intends the Bill to operate. I hope that he will listen to the fears that have been expressed by hon. Members this evening and consider the written evidence that is submitted to him. Perhaps the right hon. Gentleman will agree to meet a delegation of Opposition Members. I suspect that some Conservative Members may want to meet him as well. I hope that he will give consideration to changing the wording of the clause when the Bill is considered in another place so that what he intends to happen, and what I think the House wants to happen, is clearly and obviously set out in the Bill.

That will ensure that, when the Bill is enacted, the law will be clear and obvious to judges when they have to administer it. It should be clear that there is no intention to increase the penalty for the crimes that we are

[Mr. Andrew F. Bennett]

discussing. I hope that we shall be able to listen to the Minister in a spirit of trying to get the law right, and not in one of confrontation.

11.45 pm

Dame Elaine Kellett-Bowman: In Committee, my right hon. Friend the Minister of State said:

"This is not the occasion to debate the rights and wrongs of the existing structure of sexual offences as they affect homosexual activity and heterosexual activity."—[*Official Report, Standing Committee A;* 18 December, c. 314.]

It never seems the right occasion to do so.

Sodomy is unhygienic, unhealthy and still the major cause of the spread of AIDS. If some highly paid actors form a group, flaunt their own perversion and wish to protect others from custodial sentences, that does not seem to me to be a good reason to soften clause 25, or any others, to satisfy their sensitivity for such persons.

The general public still detest these perversions and are anxious that the flaunting of them should not encourage young and impressionable teenagers to copy unpleasent examples, consenting or otherwise. These perversions cause a great deal of harm, even if they are carried out with consent.

The hon. Member for Leyton (Mr. Cohen) said that the clause would lead to the recriminalising of homosexual activity. There are many who wish that it would. Why should the public have to wait for

"further such offences to be committed by him"?

If the amendment were to read,

"further such offences that might otherwise be committed by him",

it might be more acceptable. As it stands, it is bolting the stable door after the horse has fled.

The Bill as a whole is a good one, and I shall be sorry if any amendments introduced by the Government, or tolerated by them, in response to fashionable pressure should encourage, or fail to discourage, these very unpleasant perversions.

Mr. Simon Hughes (Southwark and Bermondsey): I am tempted to think—this may be a bit mischievous—that the speech of the hon. Member for Lancaster (Dame E. Kellett-Bowman) was that of an agent provocateur. I understand that we should not be seeking to redefine in this Bill the characteristics of a range of sexual offences, and I do not think that anyone is seeking to do that.

I am grateful, as is my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan), for the co-operation of the Minister of State and his Department when we, and others, have made representations and inquiries of our own and on behalf of others on this subject. That co-operation reduced to a squall what had seemed likely to be a stormy debate, and I hope that the squall can be reduced to a calm sea in due course. The amendments that my hon. and learned Friend the Member for Fife, North-East (Mr. Campbell) and I have signed are seeking to do just that.

I hope that all Members of the House, including the hon. Member for Lancaster, will accept that there is a logic in doing what those who support the amendments seek to make possible. There are simple objectives of principle. First, it is sought to prevent the imprisonment, or potential imprisonment, of those who are victimless in the normal sense of the word and who are over 16 years of age. There is no attempt here to change the legality of actions over 16. But in a society in which far too many people are in prison, we should be seeking to avoid sending to prison, or risking doing so, those involved in victimless offences.

The amendments seek to exclude those who are vulnerable. The Minister rightly said that we must be careful that we do not suddenly exclude from severe penalty those who abuse positions of power. An obvious example has been cited. I refer to those who hang about school playgrounds and interfere with young children. Society must rightly be firm in relation to such people's anti-social and criminal behaviour. We must draw a clear line between such abuse of young people and a more consensual form of activity.

We must also protect, as the amendments seek to do, those of a lower mental age who are clearly not capable of making adult decisions and who, tragically, are often also the victims of abuse. We must be careful that the line is drawn on the correct side in relation to them.

Although I have not had the opportunity personally to check the statistics, I must advise the Minister that the evidence shows that the present law appears to be used overwhelmingly against allegedly gay activity, rather than other activity. That suggests a lack of equity, and therefore discrimination. The second objective of principle is that we must seek to avoid discrimination in the application of the law.

Although these matters may be fairly academic to hon. Members, these offences can cause enormous stress and concern to individuals who get caught up in this area of the law. Before I was elected to this House, as a lawyer I both prosecuted and defended, and in cases under the Sexual Offences Act I have seen the trauma that is caused to people who are taken out of their normal family life on these types of charges and find themselves in court. They are not only publicly exposed, tried and fined, but sometimes imprisoned. That is an unjustified double penalty.

Although I have not received enormous numbers of constituency representations on this matter, I have received sensible representations from a few of my constituents, one or two of whom have made the clear point that the Bill, which has now been improved considerably, needs to be further improved if it is not to make their lives far more risky and discriminated against in terms of criminalisation than the lives of many of our other citizens.

I hope that the mood of the House, which was detected by the hon. Member for Hornchurch (Mr. Squire) and others, is that although we recognise that the Government have already to an extent responded to the problem—perhaps no one at the Home Office foresaw this legislative entrapment—with a bit more effort on both sides, we can ensure that we do not pass something that we do not intend. We must ensure that we end up with clear legislation which does not criminalise when it should not, does not discriminate, is consistent with civil liberties, minimises the number of people in prison, and yet wholly protects those who are vulnerable.

Mr. Chris Smith (Islington, South and Finsbury): You will forgive me, Madam Deputy Speaker, if I do not follow point by point the speech of the hon. Member for Lancaster (Dame E. Kellett-Bowman), passionately though I disagree with its content and the colour of her language.

The Government will appreciate the degree of concern felt in the lesbian and gay community over the original proposal in clause 25 when it first saw the light of day. To many people, it seemed as though the Government were intent on increasing the penalties for activities which, while technically illegal, were entirely consensual and victimless. That apparent threat comes at a time when lesbians and gay men face discrimination in many aspects of their lives; when gay men are increasingly being violently attacked in the streets and outside pubs and clubs throughout the land; when many gay men are heroically engaged in the battle against HIV and AIDS; and when many of us had hoped that we might be making progress on the rights of the millions of our citizens who are lesbian or gay, not retreating backwards.

Therefore, I give a warm welcome to the changes that the Government are making to clause 25. They have gone a long way to relieving widespread anxieties. However, I do not believe that they go far enough. I urge the Government to go the extra mile.

I shall deal first with the clause. The Government are removing three of the five offences which caused concern from the list of potentially serious offences—those relating to the crews of merchant ships, procuring, and living on the earnings of male prostitution. They have also clarified the definition of the serious harm which has to be caused before the stiffer penalties of clause 25 can be triggered. So far, so good. But we have to ask why the Government have left in the offences of indecency between men and solicitation by men. Those are overwhelmingly minor, consensual activities, yet they will still be included in a list along with truly serious matters such as child sex abuse.

There are still a disturbing number of convictions for those two offences every year. I put four specific points on those offences to the Government. First, the offences are discriminatory and are used against gay men exclusively, or almost so. Secondly, they are widely used in cases of police entrapment. Hardly ever has a member of the public appeared in court to complain that they were the victim of a supposed approach under either of the offences.

Thirdly, if, as they said in the press notice issued together with the amendments when they were published, the Government have valid anxieties about cases such as a headmaster taking advantage of a pupil or the enticement of a child, other powers are available—such as the offence of indecent assault, which carries a maximum sentence of 10 years' imprisonment. The Government simply do not need the powers in clause 25 to tackle a serious offender such as they describe. Meanwhile, scores of far more innocent people would be put at risk, albeit a qualified risk, of severer sentencing.

Fourthly, the continued inclusion of the two offences perpetuates the adverse labelling of gay men and gay relationships as second class and less valid and valued than the loves and relationships of others. To do so diminishes our democracy in a real sense. I strongly urge the Government to think again about including those two offences in clause 25. The Minister said, and I appreciated him saying it, that he did not wish to be discriminatory. He said that he did not wish to increase the penalties for relatively innocent gay men. Let him, therefore, accept amendment No. 1 and put the matter entirely beyond doubt.

I urge the Government to go further still. The law still discriminates massively against lesbians and gay men. I, for one, will not rest until proper and full equality before the law, coupled with freedom from discrimination, has been achieved.

It is worth reminding ourselves of the absurdities of the present legal position. Sex is legal between a man and a woman at 16. Effectively, it is legal between two women at 16. But between two men it is legal only at 21. Let us compare the position in other European countries. In all the following countries there is complete equality in the age of consent. In Denmark it is 15; in France it is 15; in Greece it is 15; in Italy it is 14; in the Netherlands it is 16; in Spain it is 12; in Norway it is 16; in Sweden it is 15; in Poland it is 15; and even in Albania it is 14. Yet here in Britain the law is grossly discriminatory.

I appreciate that it is difficult in our consideration of the Bill to achieve such equality now, but amendment No. 93 tabled by my hon. Friend the Member for Leyton (Mr. Cohen) is at least a small step in that direction. Under that amendment when an act takes place entirely with the consent of the parties involved and both or all are over the age of 16, an offence might still have been committed, but it would not be imprisonable. That is a step in the right direction.

I ask the Government to acknowledge the confused and discriminatory nature of our sexual offences laws. The age of consent obviously discriminates by a margin of five years. Some indecency and other offences are used exclusively against gay men. A variety of consensual and victimless activities are regarded, quite unjustifiably, as criminal.

A root-and-branch review is long overdue and I hope and trust that the Government will agree to set such a review in motion as a matter of urgency.

12 midnight

Mr. Michael Brown (Brigg and Cleethorpes): The hour is late and I do not want to detain the House long, but I should like to endorse much of the speech of the hon. Member for Islington, South and Finsbury (Mr. Smith). I also thank my right hon. Friend for meeting a delegation from Stonewall. As a result, much progress was made on a number of items connected with clause 25.

I agree with other hon. Members that there is still some way to go. There is still discrimination against victimless crime and, as the hon. Member for Islington, South and Finsbury said, that underlines the need for a root-and-branch reform of the law on gay sex. Problems still arise because of the attitude of the police and the courts towards soliciting and what is called "gross indecency". A great deal of discrimination still exists that cannot be put right by the Bill alone, the welcome amendments tabled by my right hon. Friend or the amendment tabled by the hon. Member for Leyton (Mr. Cohen). However, I hope that my right hon. Friend will accept the spirit in which opinions have been expressed.

When we compare the state of the law in this country with that in other Community countries and elsewhere in Europe, there is a strong case for a law commission to be appointed to study the subject. It should address many of the grievances that gay men and lesbians legitimately express.

Gay men and lesbians can be reassured by my right hon. Friend's comment in the press notice issued recently that he is anxious to ensure that the Bill, once enacted, does not add to existing discrimination. However, the

[Mr. Michael Brown]

arguments advanced tonight should be addressed by the Home Office in a full comprehensive review of the law on this subject.

Mr. Maclennan: I need not detain the House, because the points have been made extremely effectively by hon. Members on both sides of the Chamber. I should put it on record, however, that it is the view of my party that a review of the kind called for by the hon. Member for Brigg and Cleethorpes (Mr. Brown) is a matter of urgency. We hope that the Government will take the opportunity, if not here then in another place, of the passage of Bill to announce such a review.

Mr. Sheerman: I do not want to detain the House. The Government's proposals on clause 25, together with the changes to clauses 1 and 2, represent a major shift in their position, which we welcome.

The Government have considerably tightened the definition of serious harm to mean

"death or serious personal injury, whether physical or psychological".

That should make it clear that consensual acts between men are not intended to be covered by clauses 1 and 2. We welcome the Government's recognition of the strength of our arguments and those advanced by other hon. Members and outside lobbies.

However, while procuring has been removed from clause 25, soliciting and indecency remain. I understand the Government's argument that they are needed for the very few coercive acts that can arise, but is it necessary to retain indecency within clause 25? Cannot the coercive offences about which we are all concerned be tackled by means of different legislation? Of course, I am running into the issues raised by other hon. Members about the need for a review of the law.

We are also worried that, despite the Government's intentions, some consensual offences may still be caught by clauses 1 and 2. The Labour party intends to return to that issue in another place and to introduce amendments to tighten up the definition of clauses 1 and 2 to ensure that consensual offences cannot fall within their scope.

It will be important to monitor the legislation to ensure that it has the desired effect. More generally, the debate has shown what a mess the sexual offences legislation is in. Genuinely consensual offences can be, and are, dealt with under the same statutes as behaviour that is dangerous to the public. That cannot be right. The law is in need of urgent reform. I have been extremely impressed by the quality of contributions from both sides of the House, and I hope that the Minister will respond positively to them.

Mr. John Patten: I was interested to hear the speeches of my hon. Friends the Members for Lancaster (Dame E. Kellett-Bowman) and for Hornchurch (Mr. Squire), and the brief but welcome contribution of my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown). I was also pleased to hear from the hon. Member for Leyton (Mr. Cohen) and from the hon. Member for Denton and Reddish (Mr. Bennett), who initially raised the flag in Standing Committee in his powerful speech. The hon. Members for Southwark and Bermondsey (Mr. Hughes), for Caithness and Sutherland (Mr. Maclennan) and for Islington, South and Finsbury (Mr. Smith), also contributed. That is quite a gallery of talent and we heard a range of views.

It is clear that a number of different agendas are running, not just the one with which I am concerned—the protection of children, women or boys from serious and violent crime by homosexuals or heterosexuals. I do not decry the other agendas that involve major reforms of sexual law in this country. To Opposition Members in particular, I must say that the Bill does not address that subject. It is a Criminal Justice Bill, and the measures before us ensure that the public, the vulnerable public, the mentally handicapped, the young and others are properly protected. That is why we initially tackled the subject, and I intend to address the burden of my remarks to those issues, although the House will have noted what the hon. Member for Islington, South and Finsbury and others have said about other agendas.

There is much common ground between the Government and the Opposition on what has become known as the clause 25 issue, although it is a complete mistake to call it that because it relates to clause 1. The issue rests on clause 1, and the Government amendments deal adequately, through the clause 1 framework, with the problems which have been wrongly perceived to be contained in the list of offences in clause 25. I can understand how people unfamiliar with reading parliamentary legislation and Bills could think that there were awful designs and intends lurking in the legislation.

Mr. Archer: Will the Minister give way?

Mr. Patten: I was just getting into my stride—does the right hon. and learned Gentleman want to interrupt me? It is very late and I must try to keep awake, but if he really wants me to I shall give way.

Mr. Archer: I did not want to interrupt the Minister's stride, but his argument will not do—clause 1 must be judged according to the offences on which it bites.

Mr. Patten: Indeed, but we must also consider what amendment No. 4 states, which is:

"protecting the public from serious harm from him"—

—the word "him" is used in a legislative way to refer to him or her—

"shall be construed as a reference to protecting members of the public from death or serious personal injury, whether physical or psychological, occasioned by further such offences committed by him."

In other words, it is only if the offender can be shown to have caused death or serious physical or psychological damage that clause 25 will have any effect.

Clause 25 defines the term sexual offence for the purpose of part I of the Bill. The key use of the expression is in clauses 1 and 2, which enable courts to give longer custodial sentences than are strictly justified, according to the seriousness of the offence. I am sure that no hon. Member would dissent from the view that the courts must be given adequate powers to protect the general public from those who commit these forms of sexual and violent offences.

I rapidly learnt when the debates on this issue began that there were misapprehensions about it outside the House. Following discussions between the thoroughly responsible organisation Stonewall and myself, the Government effected the changes incorporated in the Government amendments to the Bill. We have sought to

put the matter beyond all reasonable doubt and to allay the concerns that have been voiced. The answer that I gave the right hon. and learned Member for Warley, West (Mr. Archer) a moment ago showed that clause 25 offences will be brought into play only when the public need protection from death or serious physical or psychological harm.

We have moved a long way to try to satisfy the understandable anxieties of people in the outside world——

Dame Elaine Kellett-Bowman: My right hon. Friend has moved so far to allay those concerns that he has aroused the concern of people who take a different view.

Mr. Patten: I am sorry if my hon. Friend finds it unsatisfactory that the Bill should allow courts to impose longer sentences on homosexual or hetrosexual men or women who inflict death or serious physical or psychological harm on members of the public. I think that my hon. Friend is probably worried about the wider issue of sexual law reform, which is not strictly the subject of this Bill.

It has been suggested that I should see an all-party group of Members. I should have been delighted to welcome Members for a Home Office cup of tea at any time in the past. I wish that hon. Members had been to see me earlier. My door is always open, my kettle always on the boil. I should be happy to hold a meeting before the Bill goes to the House of Lords. Not only have we travelled a long way to accommodate the views of people in the outside world; I believe that we have got the balance right, so I hope that Opposition Members will feel able to withdraw the amendment.

Mr. Cohen: I shall not repeat my speech. The Minister is right to say that the Government have moved a long way, but neither I nor a number of people who have spoken in the debate—and people outside this place—believe that he has got the balance right yet. Victimless offences should not be deemed serious sex crimes punishable by imprisonment.

However, I hear what the Minister has said. He agreed to meet a delegation. His mind is not completely closed. I welcome that. I hope that we can persuade him to make some changes over the cup of tea that he is offering.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

12.15 am

Amendment made: No. 4, in page 2, line 24, at end insert—

'(6A) In this section and section 2 below any reference, in relation to an offender convicted of a violent or sexual offence, to protecting the public from serious harm from him shall be construed as a reference to protecting members of the public from death or serious personal injury, whether physical or psychological, occasioned by further such offences committed by him.'—*[Mr. John Patten.]*

Amendment proposed: No. 5, in page 2, line 28, after 'offence', insert

'or (although convicted of it in earlier proceedings) is sentenced for it at the same time as he is sentenced for that offence'.—*[Mr. John Patten.]*

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 6 to 9.

Mr. Sheerman: Very briefly, because I recognise the lateness of the hour, we understand and accept amendment No. 7 but we oppose Nos. 8 and 9. We are very concerned that the amendments extend the power to impose longer terms of imprisonment for violent and sexual offenders to magistrates courts. This is a worrying extension of powers which could lead to greater inconsistency in decisions between magistrates courts.

It is hard to see how it could possibly protect the public from death or serious personal injury. Any serious triable either-way offence will be sent to the Crown court. Where the offence is not that serious, surely this power is not required. Magistrates courts can sentence to a maximum of six months for one offence or 12 months for more than one offence, and if they would have sentenced someone to four months but decide on six months as a result of this clause one cannot envisage that it would protect the public very much from death or serious personal injury; it would, however, lead to greater discrepancies between magistrates courts for the same offence.

That is our worry. We are not going to push this to a vote or anything silly like that, but we think that it is important to flag it up at this time of the evening.

Amendment agreed to.

Amendment made: No. 6, in page 2, line 29, leave out 'those proceedings' and insert

'the proceedings in which he is sentenced for the other offence'.—*[Mr. John Patten.]*

Clause 2

LENGTH OF CUSTODIAL SENTENCES

Amendments made: No. 7, in page 2, leave out lines 33 to 35 and insert

'which is triable either way or only summarily'.

No. 8, in page 2, line 41, leave out

'passed by the Crown Court'.—*[Mr. John Patten.]*

Madam Deputy Speaker: We now come to amendment No. 87.

Mr. John Patten: On a point of order, Madam Deputy Speaker. It is probably entirely my fault, but was Government amendment No. 9 called?

Madam Deputy Speaker: Government amendment No. 9 comes next. In between we have an Opposition amendment, No. 87, to deal with.

Mr. Randall: I beg to move amendment No. 87, in page 2, line 42, after 'offence', insert

'where the offender has been previously convicted of one or more such offences'.

This amendment would restrict the provisions for courts to give violent or sexual offenders and those with previous records of violent or sexual offences longer sentences than the offence deserves. Clause 2(2)(b) empowers courts to give violent or sexual offenders sentences longer than the offence deserves if they consider it necessary to protect the public from serious harm by the offender.

This provision is not aimed at offenders who commit the most serious offences. Those offences which are triable only on indictment are excluded from clause 2 and would continue to be governed by the present sentencing criteria. Those offenders would, therefore, continue to receive lengthy sentences in line with Court of Appeal guidance which has produced swingeing increases in lengths of sentence for violent and sexual offences since the mid-1980s.

[Mr. Randall]

According to the White Paper "Crime, Justice and Protecting the Public" of February 1990, this provision is aimed at offenders convicted of less serious offences, but where the court realises that they are at serious risk of causing actual bodily harm which would merit a 12-month sentence. Under the proposed legislation the Crown court could give a longer sentence up to a maximum of five years if it considered it necessary to protect the public from serious harm by the offender.

In public statements before the Bill was published, the Minister justified the proposal on the ground that it was needed for persistently violent sexual offenders whose previous pattern of offending led the court to believe that they were a serious risk to the public. However, there is no reference to "persistence" in the clause.

In the absence of a history of previous offences, there can be no grounds for concluding that the first-time offender who is before the court for a minor offence against the person must be in prison for longer than the offence deserves to protect the public from serious harm.

When the amendment was discussed in Committee on 6 December, the Minister referred to it as an "excellent" amendment, and agreed to reflect on it. By tabling the amendment again, we have given him the opportunity to inform the House of the results of his reflection.

Mr. John Patten: It was an excellent, extremely well-drafted amendment. I have reflected on it, and the Opposition are still wrong and I am right, for the following reasons. The hon. Member for Kingston upon Hull, West (Mr. Randall) was right in saying that the policy that sentences longer than can be justified by the seriousness of the offence should be available for persistent, violent and sexual offenders was set out in the White Paper. This is the group of offenders most likely to be a risk to the public and about which the House has the greatest concern.

It is also likely that the offenders for whom the courts judge a longer sentence to be appropriate are likely to have previous convictions, most of the time of a nature similar to the offence for which they have been convicted, and would therefore satisfy the test set in the Opposition's excellently drafted amendment. I do not disssent from what it is trying to achieve. However, we need to consider carefully whether we can rely on offenders from whom the public needs to be protected always having previous convictions of a similar nature. This may be exceptional to rare, but there may be offenders whom the courts judge, from their pattern of behaviour, to be dangerous but who have never been convicted before. In some cases, they may have been convicted when younger, but were only cautioned, although a series of cautions would show the way in which they were developing.

The protection of the public from dangerous offenders is so important that it would not be right to let the courts' ability to afford the public this protection to hang on whether the offender had previous convictions. In Committee, we were often told that nothing should be ruled out when writing legislation because we have to provide for the exceptional, strange or peculiar case. That is what we are doing in resisting the amendment.

Mr. Randall: That is a disappointing reply to what we thought was a radical and forward-looking amendment. However, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 9, in page 3, line 1 leave out 'Crown'.—*[Mr. John Patten.]*

Clause 3

PROCEDURAL REQUIREMENTS FOR CUSTODIAL SENTENCES

Mr. Randall: I beg to move amendment No. 68, in page 3, line 21 insert—

'(d) take into account any reparation made by the offender.'.

In recent legislation, attention has rightly been given to holding offenders accountable by requiring them to make reparations for their offences through compensation orders and community service orders. The Criminal Justice Act 1982 also allows courts to take account of reparations made during deferment of sentence. The amendment would extend the principle to give offenders an opportunity and an incentive to make reparation even before the case comes to court.

We believe that this could be done in the framework of a reparation projection. Those projects have been shown, in Home Office research, to be widely welcomed by victims who have taken part in them. A similar amendment debated in Committee was not accepted by the Government on the ground that its terms were already covered by clause 3. It is submitted, however, that the argument is based on a misconception of the nature of reparation. When the Bill refers to the offender's attitude to the offence and to his physical and mental condition, those are traditional criteria related to mitigation of sentence or to the choice of a rehabilitative sentence. Reparation, however is a different concept because it is based not solely on measures imposed on the offender but on the impact on the victim.

Some reparation projects go further and provide for mediation between victim and offender, provided that both are willing. That can be beneficial to victims and offenders. The amendment is intended to draw the attention of courts to the distinction and to encourage them to take account of any efforts by an offender to make amends to the victim. It would also allow the reparation to be done much sooner.

Mr. John Patten: It is common ground between us that if an offender has made or is willing to make reparation for his offence, for example, by returning stolen property or making good criminal damage, he should get credit for that. It is our intention that that should be capable of being taken into account under clause 3(1)(b). The issue was raised earlier by my hon. Friend the Member for Croydon, North-West (Mr. Malins) in relation to mitigating and aggravating factors. The court should regard it as a factor in mitigation if the offender has made reparation or is willing to make it.

I think that the point is already covered, but I have listened to what the hon. Member for Kingston upon Hull, West has said, and between now and when the Bill is dealt with in another place I will consider further whether it yet provides adequately for mitigation generally. An important point is involved; I do not dissent from that. I shall certainly bear in mind in doing so what the hon. Gentleman has said.

My consideration will also cover the point about credit for time spent in custody abroad when awaiting extradition which exercises the right hon. and learned

Member for Warley, West (Mr. Archer). The matter was discussed by him and by my right hon. Friend the Minister of State on new clause 12.

I hope that, having heard those kindly words, the hon. Member for Kingston upon Hull, West will withdraw the amendment immediately.

Mr. Randall: Again I am terribly disappointed, although that was the most positive reply that we have had from the Minister in Committee or on Report. I am sure that their Lordships will note the words of the Minister and I hope that there will be a string of superb amendments based on the one that we have constructed, so that this provision may be included in the legislation. With that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 10

ORDERS COMBINING PROBATION AND COMMUNITY SERVICE

Mr. Randall: I beg to move amendment No. 70, in page 8, line 48, at end insert—

'(2A) A court shall not make a combination Order unless it would have imposed a custodial sentence if it had not made such an Order.'.

The amendment would require courts to use the new combined probation and community service order only when they would otherwise have imposed a custodial sentence. The aim of the new combination order is to provide the courts with a new, intensive and demanding penalty which would be a credible alternative to custody for many offenders who are currently in prison. However, there is no guidance to that effect in the Bill.

In the absence of such guidance, there is every possibility that the courts will use the new order for many offenders who would currently receive probation orders, community service orders or other existing community penalties. That has happened in the past with other new non-custodial penalties. For example, the community service order introduced by the Criminal Justice Act 1972 was intended primarily as a alternative to custody, yet Home Office research a few years after its introduction found that only 45 to 50 per cent. of such orders were being passed on offenders who would otherwise have gone to prison. That was established by Home Office research study No. 39, entitled "Community Service Assessed in 1976" and printed in 1977.

The greatest risk lies in the fact that the more requirements are imposed on offenders, the greater the chance that the offender will break one of the conditions, will be returned to court for that breach and will be imprisoned. If the combination order were widely used, rather than the existing non-custodial penalities, it could lead to the imprisonment for breach of many offenders who would not otherwise have been at risk of custody. We feel that the Bill should stipulate that courts use the combination order only when they would otherwise have passed a custodial sentence.

12.30 am

When the amendment was debated in Committee on 13 December, the Minister said:

"The one thing that my right hon. Friend the Home Secretary and I do not wish to see on the face of the Bill is the outmoded concept of a sentence as an alternative to a prison sentence. We want offenders—men and women, boys and girls—to be sentenced to the correct punishment and for them to get their just deserts".—[*Official Report, Standing Committee A*, 13 December 1990; c. 250.]

There is, however, no contradiction between the amendment and the idea that the severity of the sentence should reflect the offender's just deserts. The combination order will be the more intensive community penalty available to the courts. We feel that reserving it for more serious cases that would currently receive a custodial sentence would reinforce the idea that the most intensive penalties should be for the offences that deserve them.

Mr. John Patten: I understand the concern expressed by the hon. Member for Kingston upon Hull, West (Mr. Randall) that the combination order should not be used indiscriminately and, in particular, should not be used when an ordinary probation or community service order would be adequate. However, the yardstick for any community sentence, including a combination order, is set out very clearly in clause 5(2): under subsection (2)(b), the restrictions on liberty in an order are to be "commensurate with the seriousness of the offence". Such a restriction on liberty is likely to be among the greatest of all community penalties, which is why it is appropriate for the more serious offences to be punished in that way. I cannot advise the House to accept the amendment.

Mr. Randall: It is with great disappointment that I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 11

CURFEW ORDERS

Mr. Sheerman: I beg to move amendment No. 88, in page 9, line 10, leave out 'sixteen' and insert 'eighteen'.

At this time of night, an hon. Member hopes that someone will immediately sentence him to bed! The Whip has been talking to me very sternly, and I shall speak very briefly; I have only four pages of notes.

The amendment gives me the opportunity to raise our real concern about, and fundamental opposition to, the proposals for curfews enforced by electronic monitoring, especially when they are applied to young people. In this, the Opposition have the support of the Penal Affairs Consortium and many organisations involved with the criminal justice system.

We consider the curfew order a negative system: it neither involves the offender in socially useful activity nor engages professionals to encourage him away from a criminal path. We believe that alternatives to custody should be interactive, giving people a positive activity to change their lives.

Since 1982, the courts have had power to impose night restriction orders on juveniles as a condition of supervision orders, but very little use has been made of that power. In 1988, in the whole of England and Wales, fewer than 10 such requirements were imposed as conditions of supervision orders. During the same period, the courts made enormous use of constructive community measures, such as community service and supervised activity programmes for young offenders.

Hon. Members who were on the Standing Committee know my arguments reasonably well. We dislike this whole group of proposals. In Committee, we opposed them root and branch, and we have continued to do so on Report.

[Mr. Sheerman]

We shall be very surprised if the Government, in response to our case, say anything that will make us anything other than very disappointed, but at this time of the night we shall not push the matter to a vote.

Mr. John Patten: The hon. Member for Huddersfield (Mr. Sheerman), by saying that the Opposition will not push this matter to a vote, has already got his retaliation —or his lack of retaliation—in. However, I want to say one or two things about this matter.

The suggestion that people of 16 or 17 cannot accept responsibility for their behaviour is nonsense. People of that age—especially young men—who cause mayhem should be treated as adults. On the other hand, I should like to see a wimpish 18-year-old who is not grown-up treated as a child. We must develop a much more sophisticated means of dealing with young offenders, so that their maturity may be judged as objectively as possible. I happen to believe that, by making available to the courts a range of penalties which are tough and demanding, and which take account of different patterns of offending, we shall help to minimise the use of custody. I have no doubt at all that curfew orders in respect of people of 16 or 17 will make a very valuable contribution to the sentencing arrangements.

On this matter, there is a very wide difference between the hon. Member for Huddersfield and myself. At this stage, I cannot say anything to persuade him. He has said that he will not press the amendment to a vote. I happen to be in a position to tell him that, should the matter be pursued in another place, mighty battalions, led by my noble Friend Lord Waddington, will be able to repeat the punishment.

Mr. Sheerman: Following the Minister's concluding remark, the Whip is urging me to press the matter to a vote.

I am very disappointed that the Minister has not responded to the case made by the Home Office research and planning unit's evaluation of the recent electronic monitoring experiments at three magistrates courts. All the research has shown that electronic monitoring has been a disaster and is not cost-effective. Indeed, it is enormously expensive, and the reports on it suggest that it would be very difficult to make it a cost-effective alternative.

On practical grounds, moral grounds and grounds of pragmatism, this is the wrong kind of measure. We believe that it will be a Home Office white elephant. Magistrates will not use it, and probation officers will have difficulty with it. We believe that benign neglect will result in its death.

In view of the lateness of the hour, however, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 16

FIXING OF CERTAIN FINES BY REFERENCE TO UNITS

Mr. Randall: I beg to move amendment No. 89, in page 13, line 9, after "above)", insert

"unless the court is satisfied that this would be unreasonable having regard to the circumstances of the offender".

This amendment would allow courts operating the unit fine system to calculate an offender's weekly disposable income at less than £4 where to calculate it at £4 would be unreasonable.

The means-related unit fine system, which this clause extends nationally, has been widely welcomed as an important and valuable reform. At the four courts where unit fine experiments have been conducted—Basingstoke, Bradford, Swansea and Teesside—the system has markedly improved the rate of payment of fines and has reduced the fines imposed on poor offenders to a much more realistic level, and at three of the four courts it has produced falls of between 24 per cent. and 27 per cent. in the numbers of people imprisoned for fine default. The fourth court, Basingstoke, rarely imprisoned offenders for fine defaults even before the experiment.

Under the unit fine system, the size of the fine is determined by multiplying a number of units representing the seriousness of the offence by the weekly disposable income of the offender. Clause 16 stipulates that the disposable income of the offender must not be assessed at below £4 per week. The reason for that is easy to discern: it is intended to avoid setting fines at such low levels that they might appear derisory. The four courts involved in the experiment all set themselves minimum levels for that reason. Three of the four courts set a minimum amount of £3 per week, and Bradford set a minimum of £5. However, those amounts were not legally binding and the courts did not invariably keep to them. They were simply general rules that each court laid down for itself, from which it could depart when it saw fit. In practice, the courts often did so when faced with poverty-stricken offenders.

The Home Office evaluation of the experiments—reported in Home Office research and planning unit paper 50 entitled "Unit Fines: Experiments in Four Courts in 1990"—found that, although Bradford had a nominal weekly minimum of £5, in practice 34 per cent. of fines were set at £3 or less, with 11 per cent. being set at £1 or £2 per week. At Swansea, 41 per cent. of fines were set at £3 per week or less, with 13 per cent. being set at £1 or £2 per week. At Teesside, the area of highest unemployment, nearly half—47 per cent.—of the fines were set at £3 per week or less, with 39 per cent. set at £1 or £2 per week. At the fourth court, Basingstoke, which is a better-off area, there were few fines below £3 per week, although even those magistrates fined the occasional offender £1 or £2 per week.

We believe that the amendment would bring the statutory framework for unit fines in clause 16 into line with the practice of the successful pilot areas. To enact a rigid £4 a week minimum would reduce the benefit of an otherwise admirable measure to inject greater credibility and fairness into the system for imposing fines.

Mr. John Patten: I cannot accept this amendment. Giving the courts the discretion to set a value lower than £4 a week runs the risk of setting up a system such that the monetary value of the fine would become derisory. As I have said many times, the victim cannot and must not be forgotten. Whenever I am tempted to forget the victim, the ghost of my hon. Friend the Member for Hayes and Harlington (Mr. Dicks) looms up behind me to remind me of the importance of victims and of proper punishment.

I am not prepared to promote a system that could lead to the setting of such small fines that the victim is left feeling that the criminal justice system has no regard for

the pain that he or she has felt or for the loss of property that he or she has suffered. The hon. Member for Kingston upon Hull, West (Mr. Randall) did not, on this occasion, get his capitulation in first by saying that he would not pursue the amendment to a Division, but I hope that he will not.

Mr. Randall: I am disappointed with the Minister's comments, but I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 20

DEFAULT IN OTHER CASES

Amendments made: No. 10, in page 15, line 21, leave out from 'Act' to 'and' in line 22.

No. 11, in page 15, line 37, at end insert the following subsection—

'(1A) For the Table in section 407(1A) of the Criminal Procedure (Scotland) Act 1975 (maximum period of imprisonment for failure to pay fine or find caution) there shall be substituted the following Table—

"Amount of fine or caution	*Maximum period of imprisonment*
An amount not exceeding £200	7 days
An amount exceeding £200 but not exceeding £500	14 days
An amount exceeding £500 but not exceeding £1,000	28 days
An amount exceeding £1,000 but not exceeding £2,500	45 days
An amount exceeding £2,500 but not exceeding £5,000	3 months
An amount exceeding £5,000 but not exceeding £10,000	6 months
An amount exceeding £10,000 but not exceeding £20,000	12 months
An amount exceeding £20,000 but not exceeding £50,000	18 months
An amount exceeding £50,000 but not exceeding £100,000	2 years
An amount exceeding £100,000 but not exceeding £250,000	3 years
An amount exceeding £250,000 but not exceeding £1 million	5 years
An amount exceeding £1 million	10 years.".'.

[Mr. John Patten.]

Clause 21

RECOVERY OF FINES ETC. BY DEDUCTIONS FROM INCOME SUPPORT.

Amendment proposed: No. 96, in page 16, line 12 at end insert—

'(a) provision that, before making an application, the court shall have first obtained the agreement of the offender to the application, unless default has been made in payment;'.—*[Mr. Sheerman.]*

Mr. Deputy Speaker (Mr. Harold Walker): With this, it will be convenient to consider Government amendment No. 12.

12.45 am

Mr. John Patten: I am unable to accept amendment No. 96. Labour Members' attempts to test the perfect management of the Bill will not succeed.

The amendment would limit deductions from benefit to pay fines to cases where the defendent had consented or where default in payment had occurred. It would not be sensible to include such restrictions in the Bill. We intend the deduction arrangements to apply only after default, and after a means inquiry has been held. We shall keep the arrangements under careful review to see whether the point at which deductions are made should be brought forward.

I commend amendment No. 12, which honours the undertaking that I gave the hon. Member for Cardiff, South and Penarth (Mr. Michael) to table an amendment to clause 21 on Report.

Mr. Sheerman: We are grateful for the few concessions that we get from the Minister. I made a note to thank the Government profusely for amendment No. 12. Following the eloquent speech in Committee by my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), the Minister promised to reconsider clause 21. The amendment is a good concession, and in that spirit I beg to ask leave to withdraw amendment No. 96.

Amendment, by leave, withdrawn.

Amendment made: No. 12, in page 16, line 14 at end insert—

'(aa) provision allowing or requiring adjudication as regards an application, and provision as to appeals and reviews;'.—*[Mr. John Patten.]*

Clause 23

REDUCED PENALTIES FOR CERTAIN OFFENCES UNDER THEFT ACT 1968

Mrs. Rumbold: I beg to move amendment No. 13, in page 17, line 48 at end insert—

'(3) In section 10(2) of the Badgers Act (enforcement, penalties etc.), for the words preceding the proviso there shall be substituted the following—

"(2) Any person guilty of an offence under this Act shall be liable on summary conviction—

(a) in the case of an offence under section 1 or 2, to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding six months or to both;

(b) in the case of an offence under section 3 or 4, to a fine not exceeding that level; and

(c) in the case of an offence under section 5, to a fine not exceeding level 3 on that scale;"

and in the proviso for the words "paragraph (b)" there shall be substituted the words "paragraph (a) or (b)".'.

It gives me pleasure to move the amendment, which fulfils an undertaking given to the right hon. and learned Member for Warley, West (Mr. Archer), which was supported by all members of the Committee. It enables courts to impose a maximum custodial sentence of six months' imprisonment on anyone convicted under sections 1 and 2 of the Badgers Act 1973 of taking, injuring or killing a badger and of certain other offences of cruelty.

Hon. Members agree that this is the right way to proceed on this serious matter, to which I referred last Friday in a debate on badger setts.

Mr. Archer: The Minister's words will bring much pleasure to all hon. Members and to the League Against Cruel Sports, the Royal Society for the Prevention of Cruelty to Animals and the animal lobby. I am sure that they will greatly augment the pleasure of many badgers. I am most grateful.

Mr. Simon Hughes: I welcome the amendment. I hope that it presages the passing of the Badgers Bill, which will give greater protection to badgers and which will soon be considered in Committee.

Mr. Sheerman: We warmly congratulate the Government on introducing the amendment, for which we did not have to push too hard in Committee.

I wonder what on earth the animal lobby, as described by my right hon. and learned Friend the Member for Warley, West (Mr. Archer), looks like at this time of the morning. There is all-party consensus in favour of badgers; I am glad that they are not running a candidate at the next election.

Mr. Archer: If my hon. Friend does not believe that there is such an entity as an animal lobby, he has never met my dog.

Mr. Sheerman: I should not like my right hon. and learned Friend's dog to meet my dog.

We are against the principle of introducing more penal provisions, but the amendment will provide an important deterrent. We hope that it will not be used, but it will be useful.

Amendment agreed to.

Clause 25

INTERPRETATION OF PART I

Amendments made: No. 14, in page 18, line 29, leave out '(except sections 30, 31 and 33 to 36)'.

No. 15, in page 18, line 32, at end insert 'other than—

(a) an offence under section 12 or 13 of the Sexual Offences Act 1956 which would not be an offence but for section 2 of the Sexual Offences Act 1967;

(b) an offence under section 30, 31 or 33 to 36 of the said Act of 1956; and

(c) an offence under section 4 or 5 of the said Act of 1967'.

No. 16, in page 18, line 36, leave out 'serious' and insert 'physical'.—*[Mr. John Patten.]*

Further consideration of the Bill adjourned.—*[Mr. Greg Knight.]*

Bill to be further considered this day.

Green Belt (Glasgow)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Greg Knight.]*

12.49 am

Mr. Tony Worthington (Clydebank and Milngavie): I am pleased to see the Under-Secretary of State for Scotland—the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton)—again here for an Adjournment debate. I am sorry to have kept him up so late, but I am sure that he will treat this matter with his normal courtesy.

I wish to raise some issues involving the green belt in the north-western corner of the conurbation around Glasgow. I believe that all hon. Members think of the green belt as one of the great successful planning innovations. Some of us have been to other countries and seen the consequences of ribbon development and urban sprawl. Green belts are popular with all our constituents. I am sure that the Under-Secretary of State agrees that both left and right are aware of the green belt's importance to our constituents. Open land seems to give great comfort to people and they forcefully resist any incursion on it.

I wish to raise two issues in Greater Glasgow and ask for the Government's response. In the Clydebank part of my constituency, we recently received an application for outline planning permission for a huge and controversial project led by Kilpatrick Estates. If I tell the Under-Secretary of State that it is said to involve £250 million and 2,000 jobs, he can imagine the scale of the proposed development. There are proposals for two large hotels, one of which will be a first-class hotel; one dry ski slope, billed as the finest in Europe; a corporate trading centre; an equestrian centre; a rare breeds centre—I hasten to assure the Under-Secretary of State that by "rare breeds" the developers do not mean Scottish Conservatives or aristocrats and that he is likely to be able to walk around safely—and three golf courses. It adds up to 4,000 acres—half the area of the Clydebank district. It is a huge project and an application of great significance.

What does Kilpatrick Estates consist of? We know of four people connected with it: one person who was billed as an "entrepreneurial adviser" has had three convictions and served prison sentences for offences including fraud; the chairman designate is a bankrupt; another leading agent served a gaol sentence arising out of a fraud case; and the company secretary is a struck-off solicitor. That hardly fills one with confidence.

Who are the backers? They were said to be a Saudi prince and the Sultan of Brunei, both of whom are backing away from the project and want to clear their names. A prestigious French company of international financiers, GMF, is denying all knowledge of the project. Everything that Kilpatrick Estates has claimed seems to be untrue. One doubts its claim that the proposed first-class hotel, with 250 beds, would create 650 jobs. With such a hotel, one would normally be thinking of one job per bed. It is difficult to understand from where 2,000 jobs would come overall.

The company's claims that consultations have taken place turn out not to be true. For example, it claims to have consulted the Countryside Commission, but I have received a letter from the commission stating that its

knowledge of the project is based only on reports which have appeared in newspapers, to which tribute should be paid.

Tribute must also be paid to local people. An organisation called Clydebelt is extremely concerned about the project and wanted to resist it from the beginning. It was because of the organisation's concern that the newspapers stepped in and there was some first-class journalism, especially in the *Sunday Mail*, the *Clydebank Post*, the *Glasgow Herald* and *The Scotsman*. As a result, the company has been exposed. It is now known that there are some fairly dubious people behind it.

Unfortunately, casualties have been left behind. For example, on the basis of promises made by the company to a local farmer that it would buy his farm, he bought another farm. Perhaps that was foolish. Having received no money from the company, he is unable to follow through with the transaction. Major Glasgow firms of architects, consultants, lawyers and public relations advisers have received no money from the company. There is no evidence that anyone who has carried out work for the company, or been promised money by it, has been paid. If that is untrue, I shall withdraw with great pleasure. As I have said, however, there is no sign that anyone has received money from the company, and there are debts amounting to hundreds of thousands of pounds.

It seems that a company with a strange background can approach a district council—in the instance to which I have referred, it seems that the company was without resources—with a view to obtaining planning permission. But for the journalism which ensued, the company might have been successful. When applications are made involving extremely large projects, is there not a case for giving district councils the power to satisfy themselves as to the bona fides of the applicant company? I would genuinely welcome the Minister's guidance on that.

I know that conditions can be laid down after planning permission has been granted, but in the case to which I have referred there were applications involving £250 million and half the land area of Clydebank. Is it adequate to treat each application equally? If someone applies for permission to erect a porch, for example, the council will not ask if the applicant can afford to carry out the project. But if half the land area of a district council is involved in a project, there is a strong case for the district council to have investigative or interrogatory powers to ascertain the bona fides of the applicant company.

My hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) wished to be present to associate himself with my remarks but is unfortunately unable to be in his place this evening.

The remarkable recovery of Glasgow and other urban areas in recent years has been in large part due to regional structure plans. These plans, often with the active co-operation of the Government, have stopped development on the outskirts of conurbations and other urban areas. They have effectively brought back into use what are described in jargon as brown-field sites, which may have been polluted or on which there are derelict buildings. In any event, the sites are not available instantly for development.

At the Clydebank end of my constituency, the Admiralty left behind a considerable number of oil tanks which had been there for many years and for which it no longer had any use. The pollution was such that it rendered the land useless for ordinary commercial development. I am extremely grateful that an organisation such as the Scottish Development Agency is available to improve that land and to bring it into use, in this case for housing.

The SDA has made a huge contribution to preparing land so that it is attractive for other developments, but it now seems that restrictions on the budget of the SDA—soon to be Scottish Enterprise—are causing considerable problems, which Strathclyde regional council has already noted. At a regional planning committee last week, the regional council said that there were now considerable problems because the SDA was no longer bringing forward brown-field sites for development to the same extent as previously. The council is therefore having to drop from its planning proposals some brown-field sites that it is not reasonable to expect the SDA to develop, so they will not become available for housing. The consequence is not only to hold back the redevelopment of Glasgow and other older urban areas, but to transfer pressure to green-belt areas on the outskirts of cities.

I know that my hon. Friend the Member for Strathkelvin and Bearsden would like to be associated with my next remark. Bearsden, Milngavie and Strathkelvin are now under considerable pressure from developers who want green-belt land to be freed. In Milngavie, Stakis Developments is proposing 170 houses on 390 acres of green-belt land. That proposal has attracted 430 objections from local people who see a precedent being set for future developments and further housing. They recognise that further traffic will be generated and envisage the loss of quiet parkland with its associated flora and wildlife.

I am seeking from the Minister the assurance that Government policy will take account of the pressures that are occurring. If the Government do not use their influence and money to free brown-field sites in constituencies such as mine, areas such as Milngavie, which have a special character as a result of being small, compact and extremely pleasant to live in, will lose that character to the considerable resentment of the people who live there, some of whom—believe it or not, Minister—actually vote for your party——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman must address the Chair.

Mr. Worthington: I beg your pardon, Mr. Deputy Speaker.

At the moment, there is considerable pressure on areas such as Bearsden, Milngavie and Strathkelvin, but at the same time—this is extremely sad—the pressure tends to be for new housing for the more prosperous groups when what is desperately needed in areas such as Bearsden and Milngavie is the continued existence of lower-value housing which is within the income of local people. Since the Government's introduction of the right to buy council houses, the small council housing stock has shrunk even further, with the result that local people who are not on high incomes are virtually forced to leave the area in which they would wish to live due to the loss of council housing. The local district councils tend not to be able to build houses to rent or lower-value houses to buy.

I ask the Minister for some assurances. First, will he take a look at the power of councils confronted with gigantic planning applications from people of dubious credentials? Local councils are not adequately protected at

[Mr. Worthington]

present. Will he also examine the SDA's environmental budget? The consequences of the cuts in the budget are considerable, particularly with the forthcoming transfer to Scottish Enterprise and the local enterprise companies. It is not clear whether the local enterprise companies or Scottish Enterprise will be responsible for considerable environmental improvements. I fear that the pressure on the green belt will mount, while Scottish Enterprise is denied the funds to bring older brown-field areas back into use.

1.5 am

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I congratulate the hon. Member for Clydebank and Milngavie (Mr. Worthington) on securing this Adjournment debate. I am grateful for the opportunity to discuss the Bearsden and Milngavie and Clydebank green belt areas. I am aware that any proposals to develop within the designated green belt areas can give rise to concern, but I hope that I shall be able to allay some of the hon. Gentleman's fears.

Green belt boundaries are not fixed by the Secretary of State. Any alteration of green belt boundaries is primarily a matter for the district council, as planning authority, which is guided, in areas such as Strathclyde, where both the region and the district have planning responsibilities, by the regional council. The regional council may suggest reductions in the area of the green belt through alterations to its structure plan, perhaps to provide increased housing land and to accommodate new business or industrial development, or it may propose extensions to provide additional protection. But it is for district councils alone formally to define the boundaries of the green belt in local plans. The boundaries of the Strathclyde green belt which cover the districts of Bearsden and Milngavie and Clydebank are therefore set out in the adopted local plans for the area and may be revised only by the district councils through the statutory alterations procedure. Only in the most exceptional circumstances would my right hon. Friend the Secretary of State intervene in the preparation or alteration of a local plan.

The structure plan for Strathclyde region is normally updated every two years and anxiety is regularly expressed that the region's proposed policies are likely to lead to significant inroads being made into the green belt, particularly to accommodate new housing developments. The hon. Gentleman will recall that both he and the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) raised this very point with me in an Adjournment debate on 12 April 1988. As I said on that occasion, I am unable to offer a definitive interpretation of the policies that form part of the current approved structure plan.

The reasoning behind any modifications to the policies which my right hon. Friend has made to the region's structure plan are set out in full in the decision letters approving the alterations. The precise import of the region's policies could be the subject of debate in the future, particularly when individual planning applications are being considered, and it is possible that the issues will eventually have to be determined by the courts. It would, therefore, be wrong for me to try to explain how the Government consider the policies should be interpreted. They should be interpreted by the district councils in preparing alterations to their local plans and in considering any applications for planning permission which they might receive.

The previous alteration to the Strathclyde structure plan to come before my right hon. Friend the Secretary of State—the 1988 update—was approved in December 1989. As with all Strathclyde updates, one of the major issues was the identification of districts where action needed to be taken to increase the effective supply of housing land. As with the previous alteration, in the 1986 update, Bearsden and Milngavie was not identified as one of those districts. Nor was Clydebank. Of course, this does not necessarily mean that further land for housing will not have to be found in the years ahead; this is a matter which the district councils concerned will need to discuss with housebuilders when preparing alterations to their local plans. It does, however, show that in a regional context neither Bearsden and Milngavie nor Clydebank are districts where a particular shortage has been perceived.

I understand that Strathclyde regional council is in the final stages of preparing its latest structure plan alteration —the 1990 update—for submission to the Secretary of State. It will, of course, be appreciated that I cannot discuss in detail any of the council's proposals, as they are not yet formally before the Secretary of State for consideration, but, as I understand it, the council has indicated in the consultative draft of the structure plan that certain parts of the green belt would be very sensitive to any development proposals. The green-belt wedges, or fingers, which penetrate into the built-up area of the conurbation—such as the land between Clydebank, Glasgow and Bearsden—are specifically identified as falling into that category. I also understand that the council's preliminary conclusions are that, as in previous years, there are no projected local housing shortfalls in either Bearsden, Milngavie or Clydebank districts. I should, however, again stress that this is not a matter on which I can speak with any authority at present.

More generally, the need for additional sites for housing does not necessarily entail the release of green-belt land. Many districts have sites allocated for housing which builders have reservations about developing. In some instances the problem may lie in an unwillingness on the owner's part to sell the land; in others there may be difficulties with ground conditions, site servicing, or infrastructure. We have always maintained that a joint examination of those sites by the builders and the district councils concerned could resolve many of the perceived problems and could lead to their acceptance as effective contributions to the housing land supply. In addition, there is considerable scope in many areas for development on brown-field sites in built-up areas. For all those reasons many of the additional sites which are required can, we believe, be found without the need for incursions into the green belt.

On more specific proposals within the Strathclyde green belt, I am aware that a development proposal has been put forward by Kilpatrick Estates Ltd. for the use of a large part of Kilpatrick hills, which straddles both Clydebank and Dumbarton districts. I am aware of the hon. Gentleman's concern about certain aspects of that proposal.

The company has, I understand, proposed that a large part of the Kilpatrick hills be developed to provide two hotels; golf courses and driving ranges; an equestrian centre with associated pony-trekking facilities; a dry ski

slope; and hill walking trails. An outline planning application was submitted to both Clydebank and Dumbarton district councils in November 1990.

I understand that 90 per cent. of the total 4,000-acre development area lies within Clydebank district and that this sector includes all the major construction proposals. With the agreement of Dumbarton district council, Clydebank disrict council has therefore taken the lead in dealing with the application. The council has told the developer that the application will not be considered until an environmental assessment of the proposals' impact on the area has been undertaken. I understand that the director of planning for Clydebank district council does not expect to be in a position to report to the council's planning committee before April at the earliest.

It is possible that the proposed development would be out of accord with both the structure and local plan policies. The Strathclyde structure plan key diagram shows that the southern part of the application site might form part of the Strathclyde green belt. Current approved structure plan policies presume against development within the green belt and any proposals are required to be justified against economic benefit, specific locational need, infrastructure implications and environmental impact criteria. The northern part of the site would appear to fall within an area defined as countryside around towns, which is governed by similar policies. The site as a whole forms part of the Loch Lomond and Kilpartrick hills regional scenic areas. Here structure plan policies presume against prominent or sporadic development which would have an adverse environmental impact. The site is also covered by green belt and environmental protection zone policies in the Clydebank district countryside local plan.

As the hon. Gentleman will have noted, there would be obvious implications for structure plan policies if this development were to proceed and it is likely that Strathclyde regional council will take a close interest in the application. As the regional planning authority for the area, it has the right to call in the application for its own determination, and it is possible that it will take that action if Clydebank district states that it is minded to grant planning permission. The hon. Gentleman will, of course, appreciate that at this stage there is no sign of what the district council's eventual decision will be, but it is clear that the benefits that the development might bring to the district will have to be weighed carefully against any adverse impact that it might have on the environment.

The hon. Gentleman will be aware that there are two ways in which my right hon. Friend can become involved in planning applications such as this. Firstly, should the district council be minded to grant planning permission and should it consider that the development makes a significant departure from the approved structure plan, it will be required to refer the application to my right hon. Friend for consideration. At the same time, it must also refer the application to the regional council for its consideration. I cannot, of course, speculate at this stage as to whether either my right hon. Friend or Strathclyde regional council would thereafter call in the application for determination, but the opportunity would be there for those powers to be used.

Secondly, my right hon. Friend could become involved, should either Clydebank district council or Strathclyde regional council refuse to grant planning permission. As the hon. Gentleman knows, an applicant for planning permission has a statutory right of appeal to my right hon. Friend against such a decision. The hon. Gentleman will appreciate that because of the possibility of either referral of the application, or an appeal against refusal, I cannot comment in any way on the merits of the proposal or the applicants, their employees or their backers. I am, however, aware of the hon. Gentleman's grave concern about the matter and his recent request that my right hon. Friend investigate the company behind the proposed development. I believe that any such investigation would be for my right hon. Friend the Secretary of State for Trade and Industry to consider, but I shall look into this matter further and write to the hon. Gentleman shortly about the procedures for any such investigation.

The hon. Gentleman also referred to the funding of the Scottish Development Agency, in particular the provision of funds which would enable it to carry out environmental improvements to brown-field sites. It is important to recognise that the economic development budget for Scottish Enterprise, which includes provision for environmental improvement works, has in fact increased. The budget set for environmental works reflects Scottish Enterprise's views on relative needs and priorities. It should also be borne in mind that Highlands and Islands Enterprise will, in future, carry out environmental works in its area which were previously undertaken by the Scottish Development Agency.

Mr. Worthington: It seems that, in recent years, the SDA's priorities on environmental work have changed and it is giving preference to work connected with job creation. In some ways, that makes sense. It will put money allocated to the environment into work leading directly to jobs. I can understand that focus, but other money must be made available because of the costs incurred when environmental work is not done to bring sites into housing operation. I hope that the Minister will consider that.

Lord James Douglas-Hamilton: I shall certainly draw the hon. Gentleman's remarks to the attention of those involved. Provision for environmental work has increased, which is important.

I shall take the opportunity to comment on our policy towards green belts. Since 1987 we have made it quite clear that we remain firmly committed to green belts and will continue to defend them against unsuitable development. It is particularly important to reaffirm that commitment at a time when Scottish green belts are coming under greater pressure for development than ever before.

The hallmarks of the Government's policy on green belts are, first, our strong commitment to maintaining the existence of effective green belts, and, secondly, our commitment to maintaining two policies that we have applied to green belts, which have been in existence for about 30 years. Although the policy has been restated and refined in that time, the original purposes have not changed. I am glad to have the opportunity to confirm that, not just in relation to the hon. Gentleman's constituency, but throughout Scotland.

That pressure on the green belts is undoubtedly due to the growth in economic activity that the country as a whole has enjoyed in recent years. But while that growth is to be welcomed and provides people with the spending power to consider a wider choice of options for where they live and work, we must also ensure that any new development is channelled into the appropriate areas. We

[Lord James Douglas-Hamilton]

therefore have to ensure that we integrate positive policies for providing jobs and houses in areas outwith green belts with positive policies for maintaining the integrity of the green belts, so that the green belt continues to fulfil the objectives for which it was created.

The Scottish Development——

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at nineteen minutes past One o'clock.

House of Commons

Thursday 21 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

CARDIFF BAY BARRAGE BILL *[Lords] (By Order)*
Order for further consideration, as amended, read.
To be further considered on Thursday 28 February.

KILLINGHOLME GENERATING STATIONS (ANCILLARY POWERS) BILL *[Lords] (By Order)*
Order for Second Reading read.
To be read a Second time on Wednesday 27 February at Seven o' clock.

LONDON UNDERGROUND (NO. 2) BILL *(By Order)*
Order for Second Reading read.
To be read a Second time on Tuesday 26 February.

Mr. Speaker: As Bills 3 to 14 on the Order Paper have blocking motions, with the leave of the House, I shall put them together.

CATTEWATER RECLAMATION BILL *(By Order)*

HOOK ISLAND (POOLE BAY) BILL *(By Order)*

LONDON DOCKLANDS RAILWAY (LEWISHAM, ETC.) BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *(By Order)*

BIRMINGHAM CITY COUNCIL BILL *(By Order)*

BRITISH RAILWAYS BILL *(By Order)*

EAST COAST MAIN LINE (SAFETY) BILL *(By Order)*

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *(By Order)*

LONDON UNDERGROUND (KING'S CROSS) BILL *(By Order)*

MIDLAND METRO (NO. 2) BILL *(By Order)*

REDBRIDGE LONDON BOROUGH COUNCIL BILL *(By Order)*

BRITISH RAILWAYS (NO. 3) BILL *[Lords] (By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 28 February.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

1. **Mr. Burns:** To ask the Minister of Agriculture, Fisheries and Food what are his objectives to be achieved in any reform of the CAP.

The Minister of Agriculture, Fisheries and Food (Mr. John Gummer): Any reform of the common agricultural policy should make European Community agriculture more market-oriented, reduce budget costs, lead to closer integration between agricultural and environmental policies, and apply fairly throughout the Community.

Mr. Burns: On behalf of farmers in Chelmsford, may I congratulate my right hon. Friend on his forthright rejection of proposals that meet none of those criteria and that place British farmers at an unfair disadvantage compared with European farmers? Will my right hon. Friend contrast his robust defence of British farming interests with the craven attitude of the Liberal party, the leader of which is reported to have said——

Mr. Speaker: No, these are questions to the Minister of Agriculture, Fisheries and Food.

Mr. Burns: Will my right hon. Friend fully elaborate on his robust defence of British farming interests and tell the House that he will never accuse British farmers of "whingeing" and that he will not allow British farmers to be placed at a disadvantage compared with small European farmers?

Mr. Gummer: I thank my hon. Friend for his kind remarks. This is a battle which must be fought on behalf of the farming community throughout the United Kingdom. I believe that what farmers are saying about their present position and the damage that the current proposals would do is absolutely true. I deplore suggestions that they are in any way "whingeing" and I am sorry that the word was used by the leader of the Liberal party.

Mr. Duffy: Will the Minister assure the House that the internal logic of the CAP, which has driven us for so long to the destruction of wetlands, moorland, woodlands and birdlife, has been arrested and, preferably, put into reverse?

Mr. Gummer: The hon. Gentleman's comments are perhaps a little sweeping. The internal power of the CAP ensured that the European Community ceased to fear hunger and could feed its people. That is a great achievement. I support the hon. Gentleman's view that, today, in a world of surplus, our environmental policies should be integrated with our agricultural policies. That is one of the basic principles that I enunciated earlier.

Mr. Favell: My right hon. Friend may know that this is the 150th anniversary of the election to the House of that greatest of free traders, the anti-corn law campaigner, Richard Cobden. Does he agree that a wonderful way to

celebrate that event would be to rid ourselves of the 20th century equivalent of the corn laws, the common agricultural policy?

Mr. Gummer: If my hon. Friend were to read Richard Cobden's views more closely, he would discover that he does not adhere to many of them. It would not help farmers, environmentalists or citizens of Britain to destroy our countryside by not ensuring a reasonable livelihood for those who look after it—the farmers.

Mr. Geraint Howells: I do not wish to make a political point——

Mr. Cryer: Fancy doing that in here—*[Interruption.]*

Mr. Speaker: Order.

Mr. Howells: In view of the crisis currently facing British agriculturists, what advice would the Minister give to young farmers who want to enter the industry today?

Mr. Gummer: My first advice is that they should support the Government's recent proposals, which would make it easier for land to be available to let. Secondly, I hope that if they enter farming, they will set out to produce goods that the public want and to narrow the gap between imports and exports of food products which was graphically exposed yesterday by Food From Britain. Thirdly, there will be a difficult time ahead because we are in a world of surplus for those who can afford it, but in such a world there will always be a place for the specialist, efficient producer who produces what the public want and at a price that they can afford.

2. **Mr. Gill:** To ask the Minister of Agriculture, Fisheries and Food what reforms of the CAP he will propose to improve the prospects of closing the trade gap in food and drink products.

Mr. Gummer: We have to take every opportunity to ensure that the reform of the CAP enables British farmers to improve their marketing and their share of the whole European market.

Mr. Gill: My right hon. Friend has already referred to this morning's announcement that the trade deficit in food and drink products has widened. Will he take an early opportunity to discuss with the chairman of Food From Britain how that trend could be reversed? In those discussions, will he consider how the French have apparently managed to do the opposite during the past 12 years, by creating a surplus in food and drink profits which is equivalent to the deficit that we are experiencing?

Mr. Gummer: I thank my hon. Friend for referring to Food From Britain. Since taking over that body, its dynamic chairman, Paul Judge, has concentrated on precisely that issue, which is an important aspect of British farming and British food production. We should have a major campaign to ensure that people realise that in choosing food, there is a remarkable range of extremely good products from this country. I do not want anyone to buy British merely because it is British but because it is the best. In whole areas of food production, British is best. I remind you, Mr. Speaker, that if you wish to buy an egg produced under the safest conditions and regulations and with the best in animal welfare, you should buy a British egg and no one else's.

Mr. Graham: If the Minister wishes to close the trade gap in food, will he consider a letter that I received from a farmer in my area who is very concerned about the closure of the knackeries? That makes it difficult for farmers to get as much money as they used to get before the advent of bovine spongiform encephalopathy.

Mr. Gummer: The inability to sell fallen stock but to have to pay for it to be taken away has more to do with the fact that the price of tallow, which is the major end product, has been driven down to a third of its original price. The hon. Gentleman does the industry no good by suggesting that the reason for the problems in the knacker and the rendering industries is other than the world problem of a low price for their products.

Miss Emma Nicholson: Does my right hon. Friend agree that the consumers' ability to buy British depends on the freest possible market? In that context, does he agree that the reason why the British consumer so often has to buy French cheese or German yoghurt lies in the monopolistic and outdated practices of the milk marketing board? Does he support the milk marketing board's upcoming proposals, which should create a freer market —and not just in whole milk products?

Mr. Gummer: I look forward to the milk marketing board's proposals. I agree that it is very difficult to see how British producers can get the best price for their milk or how British manufacturers can get the best part of the market for their manufactured products unless the system, which was designed for wholly different circumstances, is changed. If not, British producers will be supplying the end of the market that produces the least money while the top end of the market will be provided by products coming from the rest of Europe.

Dr. David Clark: On the trade gap, did the Minister see the claim by Safeway supermarkets earlier this week that it had to import 70 items of food which could be grown in Britain because British suppliers could not guarantee quality, consistency or price? If that is true, it is a massive indictment of our agricultural support system. Will the Minister set up an inquiry into that allegation, which has also been made to me from other quarters? It is the reason why we have a massive £5·1 billion deficit in food trade.

Mr. Gummer: That question would have come better from the hon. Gentleman had he not advised people to eat New Zealand apples and said that he did not eat British sausages. It would be much easer to take lessons from the hon. Gentleman if he had not spent the past 18 months undermining the British food and farming industries. On that basis, I shall decide what action to take without the benefit of any spurious advice from the hon. Gentleman.

Set-aside Scheme

3. **Mr. Ian Taylor:** To ask the Minister of Agriculture, Fisheries and Food what proportion of new applicants for the set-aside scheme have applied for the non-agricultural use and woodland options.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): About 27 per cent. of third-year set-aside applicants in England applied for the non-agricultural use option and about 5 per cent. applied for the woodland option.

Mr. Taylor: My hon. Friend gives rather disappointing figures. Will he try to galvanise the famers of Esher—*[Laughter.]* I should have thought that that would be taken seriously. Will my hon. Friend try to galvanise the many farmers of Esher into adopting the woodland option so that we can add woodlands to the green belt and have all the attractions of woodlands, with their waving trees, dells, glades and cover for pheasants?

Mr Curry: I accept that the woodland option under set-aside has not proved as popular as we had hoped. That is why we are examining the relationship between the farm woodlands scheme and all the other woodland schemes to determine whether we can put together a better package. We intend to draw up a consultation paper and I shall take particular care to forward it to the farmers of Esher. If we wish to carry out experimental work, no doubt they will volunteer for it.

Mr. Morley: Perhaps one reason why farmers have not been keen on set-aside is that it appears that farmers are being paid for doing nothing. But it is an opportunity to use public money in a desirable way, because it encourages the creation of woodland. If land is to be set aside, it should be used in ways that encourage wildlife and promote conservation. I know that there are premium payments for doing that.

Will the Minister give an assurance that farmers will be encouraged to participate in the woodland schemes, particularly for urban and community forestry? The schemes enable farmers to take their land out of production and put it into forestry for the benefit of themselves and the community in general.

Mr. Curry: In the early stages of the set-aside scheme, when whole farms could be taken out of production, people may have been able to level the accusation that it was payment for doing nothing. In fact, that was not the case, because farmers had to maintain their land in trim. But that accusation was precisely the reason why we reduced the incentives for whole-farm set-aside. We have steadily increased the environmental element of set-aside, because that is the best justification for the scheme. We intend to take the Countryside Commission's East Anglia premium scheme nationwide and we are looking hard at its environmental benefits. If set-aside becomes one of the centrepieces of the eventual Community reform programme, we shall wish to ensure that it is closely associated with environmental objectives.

Mr. Marland: When studying the woodland options, will my hon. Friend remember that we need to find ways of improving the environment and habitat of wildlife and of putting more money into the farmer's pocket, rather than that of the store owner? Will he consider the possibility of encouraging farmers to care for existing woodland, a great deal of which, up and down the country, is being seriously neglected?

Mr. Curry: I thought that my hon. Friend was on the point of painting some especially enchanting woodland options, but I shall certainly bear in mind the points that he made when we examine the scheme.

Organophosphorous Sheep Dips

4. **Mr. Allen McKay:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the use of organophosphorous sheep dips.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Maclean): Organophosphorous sheep dips are approved under the Medicines Act 1968 for the effective control of sheep scab. Products are currently being reviewed and any that do not meet up-to-date safety standards will have their licences withdrawn.

Mr. McKay: Is the Minister aware of the widespread concern about the use of organophosphorous sheep dips? As alternatives exist, what is the Minister doing to promote their use?

Mr. Maclean: Of course, I am aware of the concern about the use of sheep dips. Two organophosphorous sheep dips and one alternative are currently available. We should be very happy if anyone were to come to us for approval with a new sheep dip that did not contain those materials, provided that the new dip met all other standards of safety, quality and efficacy. Such dips, which contain potent materials, are necessary to deal with the nasty problem of sheep scab. That is why there are strict warnings on the labels and a scheme to encourage anyone who is adversely affected to report it to our independent advisory committee.

Mr. Speller: Although I agree entirely with my hon. Friend about the vital need for strong sheep dips, is he aware of the fear that when the beast is driven through the dip, it becomes agitated and its pores open? It thus ingests a certain amount of the dip within the fabric of the body. Has the Minister anything to say about the safety of those dips in such circumstances?

Mr. Maclean: When the veterinary products committee reviews sheep dips, it will keep in mind the problem of whether any residue is left on the animal or ingested into its system. The official leaflet that we publish on the control of sheep scab gives specific safety instructions to farmers to ensure that the animals have been rested before they go through the sheep dip so that they are not sweaty, their pores are not open and they are in prime condition.

Agriculture Reform

5. **Mr. Win Griffiths:** To ask the Minister of Agriculture, Fisheries and Food when he will next meet EC Agriculture Ministers to discuss EC agricultural reform.

Mr. Gummer: At the Agriculture Council on 4 and 5 March.

Mr. Griffiths: When the Minister goes to Brussels, will he bear in mind the urgent need for change, given that the GATT round has restarted? Will he consider the information, which I imagine was passed to him by the director general of the Nature Conservancy Council, that 80 per cent. of damage to sites of special scientific interest in Britain is caused by bad farming? Will he make it an urgent priority in the reform of the common agricultural policy to introduce green premia along the lines advocated by the Labour party?

Mr. Gummer: The Labour party's proposals have not gained much support outside the Labour party. They would certainly not be acceptable in the European Community and do not meet most of our requirements. However, at the National Farmers Union I spoke about the environmental changes that we should make and which I consider a necessary part of CAP reform. I hope that we shall reform the CAP to make it better. Some of the suggestions that have been made would make it decidedly worse. We need to ensure that farmers can do their two jobs—produce the food that we need and look after the land that we care about.

Mr. Marlow: Given that within the European Community Britain is one of the least self-sufficient countries in terms of food and agricultural produce, I wonder whether my right hon. Friend would be kind enough to give a simple undertaking to the House today that he will not agree to anything coming out of Brussels which will reduce still further our self-sufficiency in food and agricultural produce?

Mr. Gummer: My hon. Friend is both a farmer and someone who takes a great deal of interest in farming, but it is an odd view of our membership of the European Community—or of the world community—that we should be self-sufficient in everything. The German Government took such an autarkic view in the past. It would not commend itself to democrats or anyone with a liberal view of trade.

Mr. John D. Taylor: In the ongoing debate on common agricultural policy reform it has been suggested that only large farms are economic and efficient. Will the Minister take this opportunity to refute that suggestion? Does he accept that many smaller farms in Wales, Scotland and Northern Ireland are equally efficient? Is not there something wrong with the CAP when 80 per cent. of funds available are directed to only 20 per cent. of farmers?

Mr. Gummer: I do not know of many farms in the United Kingdom that could not be classified as family farms. The idea that a family farm must have less than about 30 acres is nonsense. Some family farms hold and look after four or five families and that is how British agriculture has generally developed. The real distinction to make is between farms of a realistic size that are able to support a family and farms that we know perfectly well cannot produce an acceptable income as standards rise in countries such as Portugal, which traditionally have had tiny farms. We want to help such farms to reach a more sensible base so that they can support the people who run them.

Farming in this country is efficient and very much able to compete. I am determined that it should be able to continue to do so. As 80 per cent. of production is achieved by 20 per cent. of farms covering nearly 70 per cent. of the land area, it is not surprising that they receive 80 per cent. of the support.

Mr. Ralph Howell: I was most disappointed with the reply from my right hon. Friend to my hon. Friend the Member for Northampton, North (Mr. Marlow) about self-sufficiency. Would not it be in the interests of this country and every other to be as self-sufficient as possible in the production of food? Will my right hon. Friend undertake a study to find out the rate of self-sufficiency in Britain and Europe and compare it with American self-sufficiency? It seems that the GATT round is all about the United States hogging world trade.

Mr. Gummer: My hon. Friend produces wheat, a product which we could go on producing in such amounts only if we were able to export a large proportion of it. I am sure that my hon. Friend would not want his wheat production to be cut because other countries wanted to be self-sufficient in its production. The economic base that he proposes is one that I should not like to be applied throughout the industry. Would he suggest the same for coal or computers? That would destroy any progress and prosperity in the world.

Dr. David Clark: May I state the Labour party's agreement with the Minister's objectives for CAP reform as outlined in his answer to Question 1? However, we believe that the reform must be cash-limited. It is absolutely indefensible that the British taxpayer and consumer currently pays £13·5 million a day to support the common agricultural policy. Why is the Minister so dismissive of the suggestion of my hon. Friend the Member for Bridgend (Mr. Griffiths), along Labour party lines, for the payment of a green premium? I know that the Minister likes the idea—why will not he discuss it with us and acknowledge that the green premium not only gives us environmentally sensitive farming, but provides us with a sensible agricultural support system and is more economical to the consumer and the farmer?

Mr. Gummer: I happen to think that the policy as outlined is not as good as a range of other policies that we have adumbrated and that is why I do not wish to implement it. I am pleased to hear what the hon. Gentleman says about supporting our policy. I hope that that means that he will tell his Front-Bench colleagues that it is no longer Labour party policy to support the MacSharry plans.

Mr. Moate: How can my right hon. Friend, of all people, be so non-communautaire as to attack the hon. Member for South Shields (Dr. Clark) for not eating British sausages? Will my right hon. Friend follow the logic of his remarks and urge the reform of the CAP so that production policies are at last returned to a national basis and the role of the European Commission is reduced to ensuring fair trade between member states? Does he agree that we are now paying £25,000 direct agricultural support for every full-time farmer and that we could get much better results on a national basis?

Mr. Gummer: I am happy to say that the CAP is a basis of our membership of the European Community. I am wholly in favour of that membership and I support the CAP. I intend to get it reformed so that it does more good for Britain, for British farmers and for the farmers of the rest of Europe. I do not find it uncommunautaire to say that as British sausages are the best in Europe, they should be eaten by British people; I am sorry that the Labour party spokesman for agriculture says that he will not eat them.

Animal Diseases

7. **Mr. Dunnachie:** To ask the Minister of Agriculture, Fisheries and Food when he last met the British Veterinary Association to discuss the control of animal diseases in the United Kingdom; and if he will make a statement.

Mr. Maclean: My ministerial colleagues and I meet the BVA periodically, most recently on 13 December 1990, as do my officials, to discuss a range of subjects including animal disease control.

Mr. Dunnachie: Has the Minister noted what Mr. John Logie wrote in *Farmers Weekly* of 25 January? Mr. Logie is a leading member of the Scottish knackery industry and is greatly concerned about the number of knackeries that are closing in Britain. In particular, there is great concern about the number of farmers leaving animal carcases to rot in the countryside. Mr. Logie wrote:

"It is really beyond belief that the Government is ignoring what could become a major health hazard. It would be terrible if the public were poisoned before something is done."

Does the Minister agree that this is a major concern for human and animal health?

Mr. Maclean: Let us get one thing straight from the start. There would be no knacker industry in Britain if the Parliamentary Secretary, my hon. Friend the Member for Skipton and Ripon (Mr. Curry), had not pulled off a marvellous coup in Brussels just before Christmas, when he protected the whole knacker industry for at least the next five years. My Department is taking strenuous action to ensure that there are alternative systems available. The knacker industry can continue collecting dead animals. We are giving help and advice to farmers on other disposal methods. We are spending £800 million per year in general support for the livestock industry. I do not think it reasonable to ask the taxpayer to spend any more money on specific subsidies to farmers. We shall take strenuous action against anyone dumping animals by the roadside.

Mr. Harris: While accepting a lot of what my hon. Friend said about the knacker industry, may I ask him to accept that there is great concern among veterinary surgeons, particularly in Cornwall, about the disposal of fallen animals and animals that have disease? Is my hon. Friend further aware of the concern about the future of the Polwheal veterinary investigation service station which covers the whole of Cornwall? May we have an assurance that that station is not under threat, as rumours suggest?

Mr. Maclean: I cannot deal with the last part of my hon. Friend's supplementary question because the matter is under review. We are aware of the concern in some sections of the agriculture and knacker industries. We have had extensive discussions with knackermen and renderers. There are still outlets for the materials involved if farmers wish to use them. Alternative disposal systems are available and, as I said earlier, only the action taken by the Government has prevented the EC from closing down the whole knacker industry.

Intervention Stores

8. **Mr. Skinner:** To ask the Minister of Agriculture, Fisheries and Food what are the current amounts of foodstuffs held in EC and non-EC intervention stores in the United Kingdom; and if he will make a statement.

Mr. Curry: A table showing intervention and private storage stocks in the EC and United Kingdom is deposited monthly in the House of Commons Library. Latest figures were tabled on 19 February.

Mr. Skinner: Will the Minister admit that, despite all the set-aside schemes and attempts to run down the industry, surpluses in intervention stocks are increasing again? Does he agree that at a time when every family is paying £16 a week to prop up the common agricultural policy, and when we have the cock-eyed MacSharry proposals before us that will make matters worse, it would make more sense if those stocks of food found their way into empty bellies in the third world instead of being wasted as they are now?

Mr. Curry: First, the House should note that this is one of the rare occasions on which the hon. Member for Bolsover (Mr. Skinner) agrees with his Front Bench, in his condemnation of the MacSharry proposals. His suggestion that European surpluses should be sent to the third world would do positive damage to the third world by simply wiping out local production. To suggest getting rid of our surpluses by using the third world as a dustbin does no good to European agriculture and would be a major disservice to the third world.

Mr. Maxwell-Hyslop: When will my hon. Friend discover what ought to be self-evident—that only by a quota policy can we ensure that agricultural support goes to the producers of food, not to the storers of food or the exporters of subsidised food?

Mr. Curry: What I have discovered is that we must have an agricultural policy that is closer to the marketplace and the consumer. I am afraid that the formula that my hon. Friend suggests would have precisely the opposite effect.

Mr. Ron Davies: We all agree that a system of agricultural support that does not benefit producers or consumers but rewards people who store food, people who destroy food and people who dump food cannot be justified and has to be reformed. We know which reforms the Government oppose. Why are they so coy about giving details of the reforms that they would like to see?

Mr. Curry: I suggest that the hon. Gentleman reads the speech by my right hon. Friend the Minister of Agriculture, Fisheries and Food to the National Farmers Union. It spells out clearly what we have said for years —that farming must get closer to the marketplace and that institutional prices have to come down. We have to make sure that farming is compatible with the environment and that its job is to supply what people want to eat. There is nothing very original about that. It is common sense, and common sense is the hallmark of the Goverment's policies.

GATT

9. **Mr. Knapman:** To ask the Minister of Agriculture, Fisheries and Food when he is next due to meet his EC counterparts to discuss the Community's attitude towards agricultural measures in the context of the GATT round talks.

Mr. Gummer: The Agriculture Council regularly reviews progress in the GATT negotiations, and I expect it to do so on 4 and 5 March.

Mr. Knapman: My right hon. Friend is a doughty fighter in Europe for British industry. He has heard today the many concerns about the cost, waste, fraud and protectionism associated with the present CAP. Does he agree that there should be an early resumption of the GATT round of talks? Perhaps it is time for delegates to be locked in a room until they reach agreement.

Mr. Gummer: I am sure that my hon. Friend agrees that the announcement today that resumption looks likely is very encouraging. I wholly agree that we shall get a solution to the GATT round only if those participating stop addressing themselves to the columns of newspapers and sit down in a conference room at a table from which they do not get up until they have found a solution.

Mr. Cryer: What influence can the Minister bring to bear on the EEC to make sure that there is a resolution of the conflict in the GATT round? As he well knows, the GATT round of talks is crucial not only to agriculture but to other industries, notably the textile industry which in Bradford in my constituency faces difficulties because of high interest rates. The uncertainty of the GATT round indicates a difficult and dark future. Can the Minister tell the House what influence, if any, he can and will bring to bear in the European Community?

Mr. Gummer: I am happy to agree with the hon. Gentleman's analysis. I think that he will agree that it is the British attitude which has very much won the support of the European Community. It is we who got the Community to put its proposals to the GATT round. We have kept the Community at that negotiating table and we have supported the Commission in fighting to negotiate on those terms. We have also stopped those in the Community who wish to resile from those negotiations from succeeding. Britain can say that the successes so far are based upon British initiative and support.

Mr. Bellingham: Is the Minister aware that the CAP is lurching from crisis to crisis? Is he also aware that the future will be very bleak indeed when the EEC is extended by Poland and Hungary coming in, which will lead to even greater pressures on the CAP? Is he really telling the House that he has not looked at the possibility of withdrawing completely from it and repatriating our agricultural payments?

Mr. Speaker: Order. The question is about GATT, not CAP.

Mr. Maclean: Our way to deal with the CAP is through the GATT round, because the GATT round will enable us to liberalise trade much more widely. The common agricultural policy is part of the basis of the European Community. We need to reform it and to change it, but not to suggest that there can be a Europe which does not have a common agricultural policy, which would be to run totally contrary to the facts of the matter.

Food Poisoning

10. **Mr. Jim Marshall:** To ask the Minister of Agriculture, Fisheries and Food when he last met the Consumers Association to discuss methods of reducing food poisoning incidents in the United Kingdom; and if he will make a statement.

Mr. Maclean: My right hon. Friend met consumer organisations, including the Consumers Association, yesterday as part of a series of regular meetings to discuss policy issues, including food safety matters.

Mr. Marshall: Is the Minister aware that there is general concern about the increase in food poisoning, as illustrated by a sixfold increase in the Trent region in the past seven years? Does he agree that local authority environmental health officers have an important part to play in combating food poisoning, but that their task is being made far more difficult by an insufficiency of financial resources?

Mr. Maclean: I think that the hon. Gentleman is taking a rather simplistic approach to combating food poisoning. We have a whole host of measures to deal with food poisoning, not least the Food Safety Act which came into effect on 1 January this year. The Act gives widely and greatly increased powers to environmental health officers and others to implement the law without a huge increase in resources being necessary, but we have also provided an extra £30 million for local authorities to help enforce the Food Safety Act.

Food and Drink

11. **Mr. Gregory:** To ask the Minister of Agriculture, Fisheries and Food what proposals he has to reduce the food and drink sector trade deficit; and if he will make a statement.

Mr. Curry: The Government are firmly committed to supporting Food from Britain, which has set itself the task of reducing the trade deficit in the food and drink sector by promoting our products at home and abroad.

Mr. Gregory: Will my hon. Friend confirm that in the conclusion to the current GATT rounds, no competitiveness will be lost in connection with United Kingdom food and drinks exports, particularly the great confectionery industry based in cities such as York?

Mr. Curry: I can confirm to my hon. Friend that we are particularly attentive to the needs of the processing industry and that when it comes to the cutting of restitutions we should get full restitution for the raw material components of processed foods. I know that the confectionery industry runs up a balance of payments surplus of about £100 million a year and that is particularly important to it.

Common Agricultural Policy

12. **Mr. Martlew:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Government's position in the discussions now under way in the European Community with regard to fundamental reform of the common agricultural policy.

Mr. Gummer: The Government have been the most consistent supporter of reform of the CAP and I am determined to fight for a reform that meets the criteria that I mentioned to my hon. Friend the Member for Chelmsford (Mr. Burns) earlier today.

Mr. Martlew: We have heard a lot of rhetoric from the Minister today about buying British, but, as British dairy farmers are not allowed to produce more than 86 per cent.

of the milk consumed in this country, will the Minister state categorically that he will not accept any further cut in the United Kingdom milk quota? Would not it be monstrous for the efficient farmers of north-west England and elsewhere to have to pay the price for inefficiency and overproduction in the rest of Europe?

Mr. Gummer: Since Britain has become a member of the European Economic Community we have increased the amount of self-sufficiency in the dairy industry. One of the sadnesses of the present situation is that although we are only 86 per cent. self-sufficient, we are still manufacturing some of the lower-cost products, with lower returns to producers, because of our milk marketing system. So we need to reform that as a matter of urgency. What I will say to the hon. Gentleman is that I am not prepared to have a greater reduction in quotas in this country than occurs in other member countries of the European Community. The MacSharry plan proposes exactly that. I believe in fair shares for all.

13. **Mr. Tredinnick:** To ask the Minister of Agriculture, Fisheries and Food what would be the effect on British agriculture of the European Commission's proposals for reform of the CAP.

Mr. Gummer: British agriculture would be severely disadvantaged by what we know of the Commission's ideas. They would imply that support for cereals, compulsory set-aside, quota cuts in milk and headage limits for sheep would all bear vastly more heavily on the United Kingdom than on any country in the European Community.

Mr. Tredinnick: Does my hon. Friend accept that the MacSharry proposals would not only discriminate against Britain but would involve a major increases in CAP costs in all European countries?

Mr. Gummer: At a time of great budget crisis, MacSharry has produced proposals which would cost more than the 25 per cent. increase in the budget which appears to be scheduled for this year if we continue as we are. They are, therefore, unacceptable in budgetary terms and they are completely unacceptable because they disadvantage the United Kingdom.

PRIME MINISTER

Engagements

Q1. **Mr. Viggers:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister (Mr. John Major): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Viggers: Bearing in mind the horrors that have been perpetrated in Kuwait, where thousands have been murdered and tortured, and bearing in mind also the awful nature of the weapons available to Saddam Hussein, does my right hon. Friend agree that there can be no doubt that the implementation of all the United Nations resolutions is both a just and a necessary cause? Does he also agree that since August Saddam Hussein has had every opportunity to withdraw from Kuwait, and that if a major land offensive should now be necessary our forces will carry with them the gratitude and good will of the entire nation?

The Prime Minister: I very much agree with my hon. Friend. The only message that we wish to hear today is that Iraq is prepared to accept and implement all the Security Council resolutions in full and immediately. That is a message which can be given to us at any time. As I told the House on Tuesday, only when such a message is received and has begun to be implemented can there be an end to the conflict.

Mr. Kinnock: Will the Prime Minister confirm that within the past 48 hours every one of the permanent members of the United Nations Security Council has made it crystal clear to Saddam Hussein yet again that if immediate and unconditional removal of all Iraqi forces were to take place the fighting could end? Does the Prime Minister agree that that is what the whole world wants —including, had they but the freedom to say it, the ordinary people of Iraq? Knowing that, is not it obvious that of all the many cruelties committed by Saddam Hussein, the greatest would be his failure to take the opportunity, which has always existed and still exists, to avert a major land battle and the great suffering that it would bring?

The Prime Minister: It has certainly been made clear by the allies that we stand by the Security Council resolutions in full. As the House may know, I understand that, within the past few minutes, Saddam Hussein has begun broadcasting to Iraq. There is no indication yet of what he has said or what he will say, but I am bound to say that he preceded his broadcast with yet another Scud attack.

Q2. **Dr. Michael Clark:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Dr. Clark: Does my right hon. Friend agree that Britain is an inventive nation and that we maintain a strong science base? Will he, therefore, join me and other hon. Members from both sides of the House in congratulating the Royal Society of Chemistry on celebrating its 150th anniversary this year? Will he also pay tribute to the chemical industry, which contributes a balance of payments surplus of more than £2,000 million per annum to Britain?

The Prime Minister: I am happy to do that. Only last Friday I had the pleasure of opening an innovative ICI factory in Runcorn in the north-west which will manufacture an alternative to CFCs—the first such factory in the world. The chemical industry has an impressive record both in investment in research and development and in the exploitation of that investment by our scientists. That is the basis of industry's necessary recovery.

Mr. Ashdown: Does the Prime Minister agree that no one, but no one, can relish the prospect of having to fight a land war in the Gulf, that even at the 11th hour every realistic avenue for peace ought to be pursued, but that we cannot allow ourselves to be distracted by culs-de-sac designed to delay the freedom of Kuwait? Will he confirm that the aim of the allies is not a temporary peace, leading

to conflict later, but a durable, United Nations-based peace, a basic ingredient of which must be recognition of the legitimacy of Kuwait?

The Prime Minister: I very much agree with the right hon. Gentleman, particularly about durability and security. There is no need for particular peace proposals. The peace proposals that we wish to hear are those that we have set out and agreed with our allies and others in the United Nations Security Council resolutions. That has been and remains the position. If Iraq is prepared to accept and implement those, the conditions exist for an end to the conflict. Without that, they do not exist.

Mr. Barry Porter: Will my right hon. Friend take the opportunity today to congratulate the management and work force of the Rover Group on their contribution to the British export drive? Does he agree that the figures recently announced are self-evident proof that it was a very good deal between British Aerospace and Rover for the west midlands, the taxpayer and the country?

The Prime Minister: There has been a remarkable renaissance in the motor car industry generally. That, of course, includes Rover.

Q3. **Mr. Lofthouse:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Lofthouse: Is the Prime Minister aware that West and South Yorkshire police and fire authorities are about to set their budgets this weekend for the forthcoming year? Is he also aware that the options before them are to do so in accordance with the Home Secretary's guidelines, and thus maintain their present effective forces, or to set the budget according to the standard spending assessments of the Department of the Environment, which would result in the loss of hundreds of police and firemen's jobs and consequently of services? Considering the increase in the crime rate and the ever-greater demands on the fire service, what advice does the right hon. Gentleman have for them?

The Prime Minister: Like all authorities, this one must select its own priorities.

Mr. William Powell: My right hon. Friend will be aware, not least from his knowledge of his own constituency, of the wonderful work done by many thousands of people working for village hall committees. Is he aware that, notwithstanding the marvellous efforts of our right hon. Friend the Member for St. Albans (Mr. Lilley) two years ago to protect village hall committees from some of the worst trepidations of EEC VAT directives, VAT remains a serious problem for them? Will he have a word with the Chancellor and encourage him to try to find a fiscal device to make life easier for those voluntary fund-raisers?

The Prime Minister: It is not readily apparent what fiscal device my hon. Friend has in mind, but if he cares to suggest something I am sure that my right hon. Friend the Chancellor will examine it.

Q4. **Miss Hoey:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Miss Hoey: Does the Prime Minister recall when he was a young man being a councillor in Ferndale ward in my constituency? Does he realise that this month there is 25 per cent. unemployment in Ferndale ward? Will he have time in the next couple of weeks to come and see the people there, many of whom have been out of work for more than two years, and tell them what more they can do to get jobs under the Conservative Government?

The Prime Minister: While visiting Ferndale ward, which I had the privilege of representing for a period after 1968, I might also discuss with the people why, so many years later, nothing has been done by Lambeth council to improve their environment, their housing, their street cleaning or any of the other matters that concern them.

Mr. Michael Brown: Does my right hon. Friend accept that the answers to any review of the community charge are staring us in the face from Westminster city hall? Would my right hon. Friend note that that council—a single-tier authority—has been able to reduce its community charge as a result of good housekeeping? Will my right hon. Friend ensure that Dame Shirley Porter is made a member of the Government review team immediately?

The Prime Minister: We should be happy to have Dame Shirley's advice on that or on many other matters and I am happy to congratulate Westminster city council on the community charge that it has levied. It is certainly an example to other authorities and I hope that they will follow that example.

Q5. **Mr. Bill Michie:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer the hon. Gentleman to the

Mr. Michie: Does the Prime Minister agree that concern about loss of face, or part face, by any leader leading a nation involved in the Gulf war pales into insignificance when compared with the possible loss of life if a land war is embarked upon?

The Prime Minister: Nobody wishes artificially to bring about a land war if it is avoidable. The hon. Gentleman should bear in mind who began this conflict, what the aims were and what is necessary both to end it and to ensure that there is a secure and durable peace, which means that conflict will not recommence at a later date. The hon. Gentleman should bear that in mind.

Mr. Cash: When my right hon. Friend saw Chancellor Kohl the other day, did he discuss the German proposals for political union, which have now been submitted to the intergovernmental conference? Did he agree that those proposals were completely unworkable and that if they were put into effect they would mean, to all intents and purposes, the end of the Westminster Parliament?

The Prime Minister: I discussed a range of matters with Chancellor Kohl. I did not discuss the letter which the French and the Germans put forward, although we discussed in general terms some of the matters related to both the economic and monetary union IGC and the political union IGC. I set out for Chancellor Kohl our concerns about those matters and the policies that we have set before the House.

Q6. **Mr. Michael:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Michael: On a day when the Government's own gross domestic product figures have illustrated the depth of the recession and the frightening drop in production created by his policies as Chancellor and now as Prime Minister, will the right hon. Gentleman reflect on the stupidity of adding 6,000 experts on training the unemployed to the queues of unemployed? Opposition Members have lived with the misery caused by the Government for millions of people during the recession in the early 1980s. How does the right hon. Gentleman intend to prevent a repetition of that misery for millions in the 1990s?

The Prime Minister: We have an excellent record on training, as the hon. Gentleman knows. As for economic circumstances in this country and elsewhere, the hon. Gentleman will know that three of the G7 countries are now officially in recession and two more have had a downturn in output. The hon. Gentleman imputes too much authority to me if he thinks that I am responsible for all that.

Mr. Hill: Does my right hon. Friend agree that probably one of the biggest mistakes that the western alliance has made was to try to treat Saddam Hussein as though he were an honourable man when in fact his words are worthless? When my right hon. Friend next telephones President Bush, he may be able to tell him of some of the evidence that we have heard in the House about the human rights being destroyed in Kuwait and the genocide taking place there which must mean more and more deaths for the Kuwaitis every day.

The Prime Minister: My hon. Friend expresses a view which is held by the vast majority of hon. Members in the House. There is no doubt that since 2 August the Iraqis have broken any number of international obligations and there must be some considerable concern about whether we can trust what is said to us by them.

Q7. **Mr. Loyden:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Loyden: Does the Prime Minister recall the statement that he made on 29 November following his election to his present position? He said then that he wanted to see a country at ease with itself. Does he believe that 2 million unemployed, the continuing decimation of our health service, the imposition of the hated poll tax and the current deepening recession represent a climate in which the people of this country can be at ease with themselves? Does he not now recognise that the only way to remove those problems is by the removal of the present Government?

The Prime Minister: The hon. Gentleman is a class warrior who believes in conflict; I am not. That is the difference between us.

Q8. **Mr. John Marshall:** To ask the Prime Minister if he will list his official engagements for Thursday 21 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Marshall: Will my right hon. Friend tell the House and the country which five local authorities have the highest community charge, which five have the worst education results and which five have the largest rent arrears?

The Prime Minister: I shall be happy to write to my hon. Friend will a detailed list of those authorities. I think that I can tell him now, however, that he will find no Conservative authorities among them, and an overwhelming predominance of Labour authorities, almost certainly including Brent, Camden and Lambeth.

Business of the House

3.30 pm

Dr. John Cunningham (Copeland): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): Yes, Sir. The business for next week will be as follows:

MONDAY 25 FEBRUARY—Conclusion of remaining stages of the Criminal Justice Bill.

Motion on the Industrial Training Levy (Construction Board) Order.

TUESDAY 26 FEBRUARY—Remaining stages of the Road Traffic Bill.

Motion on the European Communities (Definition of Treaties) (Fourth ACP-EEC Convention of Lomé) Order.

WEDNESDAY 27 FEBRUARY—Until seven o'clock, motions on social security benefit uprating and other orders and regulations. Details will be given in the *Official Report*.

Motion on the Hill Livestock (Compensatory Allowances) (Amendment) Regulations.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

THURSDAY 28 FEBRUARY—Debate on Welsh affairs on a motion for the Adjournment of the House.

FRIDAY 1 MARCH—Private Members' Bills

MONDAY 4 MARCH—Motion on the Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuation) Order.

Remaining stages of the Census Confidentiality Bill *[Lords]* and the Oversea Superannuation Bill.

Motion to take note of EC documents relating to assistance to the Soviet Union and eastern Europe. Details will be given in the *Official Report*.

Mr. Speaker, the House will also wish to know that European Standing Committee A will meet at 10.30 am on Wednesday 27 February to consider European Community Document No. 7057/90 relating to agricultural and agro-industrial research 1990-94; and that European Standing Committee B will also meet on Wednesday 27 February at 10.30 am to consider European Community Document No. 10149/90 relating to promotion of energy efficiency in the community.

[Wednesday 27 February:
Social Security benefit uprating and other orders and regulations
1. Guaranteed Minimum Pensions Increase Order
2. Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment Regulations
3. Social Security Benefits Up-rating Order
4. Social Security (Contributions) Amendment Regulations
5. Social Security (Contributions) (Re-Rating) Order
6. Statutory Sick Pay (Rate of Payment) Order
7. State Scheme Premiums (Actuarial Tables) Amendment Regulations
8. Statutory Sick Pay (Small Employer's Relief) Regulations.

European Standing Committee A:
Wednesday 27 February
Relevant European Community Document
7057/90 Agricultural and Agro-Industrial Research
Relevant Report of European Legislation Committee
HC 11-xxxii (1989-90)

European Standing Committee B:
Wednesday 27 February
Relevant European Community Document
10149/90 Energy Efficiency
Relevant Report of European Legislation Committee
HC 29-vi (1990-91)

Floor of the House:
Monday 4 March
Relevant European Community Documents
10880/90, 4120/91 } Aid for Soviet Union
Relevant Report of European Legislation Committee
HC 29-vii (1990-91).]

Dr. Cunningham: If, regrettably, Saddam Hussein continues to ignore the United Nations resolutions, there is a serious deterioration in the situation in the Gulf and a land war begins, may we have an immediate statement in the House from Her Majesty's Government? The Leader of the House has been very good at ensuring that the House is kept informed of developments and changes in the Gulf: let me on behalf of the Opposition, express our appreciation of that. Nevertheless, I hope that the right hon. Gentleman agrees that, if a widespread land war begins, a statement should be made immediately.

Last week, the Leader of the House said again that he was trying to find time for a debate on the Cullen report on the Piper Alpha disaster in the North sea. We now have the details of next week's business, and yet again, regrettably, no time has been found for a debate on that important report. May I urge the Leader of the House to find time for this matter in the business for the week after next, because hon. Members on both sides of the House are very anxious, as are many of their constituents, to have the recommendations of the Cullen report debated?

Can the Leader of the House confirm that the report of the inquiry by Lord Justice Woolf into the Strangeways riots will be published next Monday? If so, or if it is to be some other day next week, may we have a statement from the Home Secretary on the inquiry report? It is somewhat ironic, if not unsatisfactory, that we shall be finalising our deliberations on the Criminal Justice Bill before the House has had the opportunity to discuss and learn the lessons of the Woolf inquiry. It would have been far better if we could have had a statement on the report before the House had concluded its consideration of the Criminal Justice Bill.

It has been the tradition of the House, whichever party was in power, to have a debate on Government public expenditure plans. I hope that the Leader of the House will confirm that the Government intend to have such a debate and that they are not trying to wriggle out of that commitment. We are now in danger of not debating the Government's public expenditure plans before the Chancellor introduces his Budget on 19 March. I believe that even supporters of the Government would regard that as wholly unsatisfactory. I well recognise the Government's embarrassment, especially since we know from the public expenditure paper from the Department of Employment, for example, that £350 million is to be cut

[Dr. Cunningham]

from the training budget at a time when we are heading deeper and deeper into recession. There are many other important public expenditure issues involved, and the Opposition have the right to demand a debate on them.

Mr. MacGregor: I am grateful to the hon. Member for Copeland (Dr. Cunningham) for what he said about the way in which business in the House on the Gulf had been handled. As he knows, we have kept regularly in touch through the usual channels. He will know that the House is to debate the situation in the Gulf later today, and we had a statement earlier this week, both of which are indications of my determination to carry out my promise to the House to review regularly the need for debates and statements. We must be watchful of developments in the Gulf, but I will bear in mind what the hon. Gentleman has said and hope to carry on as I have been doing in ensuring that a statement is made whenever one is appropriate.

The hon. Member has raised on a number of occasions the subject of the Cullen report. I said last week that I hope to arrange a debate on this topic as soon as possible. I am aware of the desire of other hon. Members to debate it. The hon. Member asked me for three debates last week. I have been able to fulfil one of his requests in next week's business, because we are to have a debate on Welsh affairs. I cannot guarantee to fulfil in a single week all my promises to him, but I certainly hope to arrange a debate on the Cullen report. Unfortunately, it cannot be next week.

It is the intention of my right hon. Friend the Home Secretary to make a statement on the Woolf report as soon as it is published, which we expect to be very early next week. I note what the hon. Gentleman says about trying to arrange it in advance of the conclusion of our debates on the Criminal Justice Bill. I will certainly see what I can do to arrange that sequence of events.

Let me assure the hon. Gentleman that there is no question whatever of our wriggling on the question of public expenditure. I am very proud of our public expenditure programme, and that includes this year's. The hon. Gentleman will know that we now have a new arrangement for the publication of public expenditure plans. They are not all now contained in one document. Particularly at the request of the Treasury and Civil Service Select Committee, there is, for the first time, a series of individual departmental plans. We have had a stream of reports in the past few weeks.

I can assure the hon. Gentleman that there is no embarrassment about having a debate, but we have to take into account the new system and the new method. I certainly intend to arrange a debate on the public expenditure plans, although I doubt whether it will be before the Budget. I hope that we shall have the debate when the House has had an opportunity to absorb the wide range of White Papers.

Several Hon. Members *rose*——

Mr. Speaker: Order. As the House knows, I am always reluctant to curtail business questions, but we are to have today an important debate on the Gulf war aims and the restoration of peace in the middle east—in the name of members of the Scottish National party—in which no fewer than 24 hon. Members wish to take part. I would therefore ask the House——

Mr. Tony Banks (Newham, North-West): They are not here; they have been caught out.

Mr. Speaker: It does not matter whether they are here or not. Many of those present wish to participate. Exceptionally, therefore, I propose to allow business questions to continue only until 4 o'clock. Then we must move on to the debate.

Mr. John Bowis (Battersea): Will my right hon. Friend listen carefully to the debate on the Gulf and ensure that there is plenty of opportunity for the Labour spokesman to explain the contradiction between the statements of those on the Opposition Front Bench—or what is left of it—and the actions of local Labour parties, such as that in Battersea, which have been subscribing to the "stop the war" campaign and repudiating the policies of those on their own Front Bench? If there is not time today, will my right hon. Friend allow another opportunity for that to happen?

Mr. MacGregor: I am afraid that, because of other commitments, I cannot be present throughout the debate this afternoon. The whole House will be aware that some people in the Labour party oppose the policy of those on the Labour Front Bench. Some of them will wish to catch your eye, Mr. Speaker, and they are perfectly entitled to do so. Equally, the House knows that a large majority of the Labour party strongly support the Government's position.

Mr. Norman Hogg (Cumbernauld and Kilsyth): As we are not doing much next week, will the Leader of the House find time for a debate on early-day motion 400, standing in my name and in the names of my hon. Friends?

[That this House condemns without reservation the disreputable actions of the Scottish National Party on Cumbernauld and Kilsyth District Council in determining a budget and fixing a poll tax which slashes funding for housing, homeless persons, housing maintenance, environmental services, planning, building control, recreation and leisure, libraries, refuse collection, refuse disposal and parks etc., with serious consequences for the level of service to the public, jobs and conditions of council staff and impairs the council's ability to meet new statutory requirements required by Parliament in such Acts as the Environment Protection Act; demands that the SNP leadership clarify why and when it became their policy to act in support of Tory Scottish Office Ministers in making cuts to an extent beyond even the excessive demands of the Scottish Office; and asserts that SNP councillors who support such policies while refusing to pay the poll tax are wholly unprincipled but consistent with SNP's position in Scottish public life.]

The motion deals with the scurrilous behaviour of the Scottish National party councillors on Cumbernauld and Kilsyth district council who have fixed a budget and increased the poll tax but refuse to pay it themselves. May we have a debate about the poll tax and the hypocritical behaviour of SNP representatives on Scottish local authorities? If we cannot, will the right hon. Gentleman at least add his name to the early-day motion?

Mr. MacGregor: I refute the hon. Gentleman's claim that we are not doing very much next week. The House is to complete its proceedings on two of the major Bills in the current legislative programme. We are also to debate a number of important social security orders. I rather suspect that hill farmers would not agree with the hon. Gentleman that the motion on the Hill Livestock

(Compensatory Allowances) Regulations is unimportant. Many Scots hill farmers will warmly welcome the fact that we are to deal with that next week. Moreover, given the area that the hon. Gentleman represents, I am surprised to hear that he regards a whole day's debate on Welsh affairs as irrelevant and not important. We are to discuss a lot of important matters next week.

The hon. Gentleman drew my attention to early-day motion 400. As a Minister, I am not entitled to sign early-day motions. I know that the Scottish National party has been anxious to portray itself as the party of community charge non-payment, but as soon as SNP members gain power in the council chamber, no one is keener to set and collect the charge than they are. That was the case with Angus district council, which the SNP controls, and now it is the case with Cumbernauld and Kilsyth district council. The SNP is the party of shallow slogans in opposition and the party of sheer hypocrisy when it gets into power.

Mr. Robert Hayward (Kingswood): My right hon. Friend will be aware that the Boundary Commission for England announced its intention to start its work today. Would it be possible, without interfering with the independence of the Boundary Commisson, to have a brief debate on the preparations for the report so that we can take the opportunity to express our views on the way in which the system will operate?

Mr. MacGregor: I am not sure that it will be possible to arrange a debate. I will, however, consider my hon. Friend's request, although I am sure that he will be able to find other opportunities to make his views known.

Mr. James Wallace (Orkney and Shetland): Is the right hon. Gentleman, as Leader of the House, concerned about the fact that today a Select Committee reported that attempts had been made to conceal from the House certain important aspects of the sale of the Rover Group to British Aerospace? Notwithstanding any embarrassment that it might cause the Government to have a debate on this matter, does not the right hon. Gentleman think that the integrity of the House of Commons demands that there be a debate on this very shabby and dishonourable means of attempting to conceal information from it?

Mr. MacGregor: The right way to proceed is to do what we always do—wait for the detailed reply of the Department of Trade and Industry after it has considered the report.

Mr. Phillip Oppenheim (Amber Valley): Will my right hon. Friend try to arrange as soon as possible another debate on manufacturing industry to give the Opposition spokesman a chance to make amends for his performance early this week? On that occasion the hon. Gentleman, for much of his speech, refused to give way to hon. Members on the Government side. He also failed to produce any proper, costed Opposition proposals, and he failed totally to present any proper policies.

Mr. MacGregor: I cannot promise a debate immediately, although I recognise that my hon. Friend has made some very good points. Following the Budget statement by my right hon. Friend the Chancellor of the Exchequer on 19 March, there will be an opportunity to debate industrial and economic matters at some length. I am sure that my hon. Friend will again make his points then.

Mr. Jack Ashley (Stoke-on-Trent, South): Is the Leader of the House aware that next week the families of some Gulf personnel will come to the House of Commons to meet members of the Gulf families support group? Those people are very anxious about the lack of co-ordination between the groups that have sprung up and about the absence of Government funds to enable them to function. They are worried about men who may return from the Gulf disabled and needing jobs, houses and rehabilitation. May we have a statement or a debate next week on those subjects?

Mr. MacGregor: Support groups and the Gulf Trust have the backing of the whole House. Many of my hon. Friends are very active in their constituencies in support of such groups. I am sure that the group to which the right hon. Gentleman has referred will get the message next week that they have the warm support of the House. The right hon. Gentleman will know that a considerable range of benefits—in particular, war pensions—are available for those who may most unfortunately suffer injury in the Gulf. I believe that these arrangements are widely known, but in any case we shall make sure that they are widely publicised at the appropriate time.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Will the Leader of the House, when he is thinking about that matter, take into account the fact that war pensioners in Strathclyde now have to pay the poll tax? A constituent of mine whose husband lost half his brain in the last war and receives full poll tax rebate has her war pension included for poll tax purposes. This is a sick tax, and it should be abolished. Will the Leader of the House arrange for a statement to that effect?

Mr. MacGregor: The hon. Gentleman knows very well that, in relation to the community charge, there is a wide range of reduction schemes and reliefs for those on lower incomes. Indeed, they were extended considerably very recently.

Mr. Michael Latham (Rutland and Melton): My right hon. Friend, in declining any statement this week on the terrorist atrocities in London, reflected the mood of the whole House. Will he bear in mind the fact that it is important that from time to time the House be given an opportunity to debate the situation in Northern Ireland? Will he see that the Secretary of State for Northern Ireland is given an opportunity to open a major debate on this subject within the next few weeks?

Mr. MacGregor: I agree entirely that it is important that the House should have an opportunity to debate these matters. On 4 March, consideration of the Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuation) Order will provide hon. Members with such an opportunity. In addition, I expect to be able to announce before very long the date on which we shall take the Report and remaining stages of the Northern Ireland (Emergency Provisions) Bill.

Mr. William Ross (Londonderry, East): Does the right hon. Gentleman recall that a proposal for a draft Northern Ireland fisheries order was published in March 1988? It met with considerable criticism and many amendments and changes have been made to it. Although we have been told that its reappearance is imminent, it has not as yet re-emerged from the Northern Ireland Office. Does not

[Mr. William Ross]

that episode show clearly the absolute need to deal with Northern Ireland legislation by Bills so that, instead of changes being made by officials after representations without public debate, there could be public debate on the Floor of the House and in Standing Committee where all the issues in the order could be explored? Will the Government consider the order again and reproduce it as a Bill?

Mr. MacGregor: I cannot promise to reproduce it as a Bill. I am not aware of the latest developments with regard to the order and I will have to look into the point raised by the hon. Gentleman. I will also draw it to the attention of my right hon. Friend the Secretary of State for Northern Ireland and discuss it with him.

Mr. James Pawsey (Rugby and Kenilworth): Is my right hon. Friend aware that for the past 47 years it has been the accepted wisdom of successive Governments that the German authorities were responsible for the massacre in Katyn, in Poland? However, the Soviet Union has accepted full responsibility for it. Given that substantial change, will my right hon. Friend arrange an early debate on the matter?

Mr. MacGregor: We have rather a lot of business ahead of us in the next few weeks and I have received many requests for debates. However, if my hon. Friend will allow me, I will discuss the matter with my right hon. Friend and, without making any commitment to my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey), I will see what the position is.

Mr. John Hughes (Coventry, North-East): I draw the attention of the Leader of the House to early-day motion 506.

[That this House, having recognised that the honourable Members' constituents who may be wives, mothers, fathers, sons, daughters, brothers and sisters of troops serving in the Gulf, will be gravely concerned to learn that, whilst their loved ones were poised, preparing for the moment when they would be engaged in the bloodiest battles and facing the most horrendous of modern killing weaponry, the Prime Minister and the Foreign Secretary and a team of senior British businessmen, hundreds of miles from the combat area, in luxury hotels, were dispassionately discussing with Kuwaiti Royalty the final scenario of the conclusion of the war, the British and American carve up of a Kuwait restoration programme and the financial benefits to be accrued from the obscenity of war; finds it difficult to understand the insensitivity of senior ministers or equate their mercenary activities to their superficial expression of support for the troops; and puts on record its condemnation of a Government which allows its obsession with market force philosophy to overrule every other issue, even the Gulf War.]

The motion refers to the costs and rewards of the Gulf war. With regard to the rewards, the Government have shown their commitment and have produced a 32-page document which lists 168 companies. The restoration of Kuwait is broken down into six sections. The Prime Minister, the Foreign Secretary and teams of senior business men have visited Kuwait and have discussed the matter—*[Interruption.]* This is true.

Mr. Speaker: Order. I think that we have the hon. Gentleman's drift. Will he please ask for a debate?

Mr. Hughes: Can the Leader of the House tell me whether the people who sat down with the Prime Minister, the Foreign Secretary and Kuwaiti royalty to discuss the restoration programme——

Mr. Speaker: Order. The hon. Gentleman must ask for a debate and not deal with wider issues.

Mr. Hughes: I am asking for one.

Were the business people who sat down with the Prime Minister also members of the team of 48 people who rushed to China after the Tiananmen square massacre? With regard to——

Mr. Speaker: Order. I must say, with kindness, to the hon. Gentleman that he is taking up his colleagues' time. It is not fair for the hon. Gentleman to have an Adjournment debate during business questions.

Mr. Hughes: May I refer——

Mr. Speaker: No. The Leader of the House has the hon. Gentleman's drift.

Mr. Hughes *rose*——

Mr. Speaker: Order. I will try to call the hon. Gentleman on another occasion.

Mr. Hughes: Further to that——

Mr. Speaker: Order.

Mr. MacGregor: It would be right for me to address my remarks to the early-day motion to which the hon. Gentleman referred. We deplore the views expressed in the motion. The Government of Kuwait are planning urgently the reconstruction of their country, which is likely to have been ruined by the barbaric invasion of Iraq. They have warmly welcomed the prospect of United Kingdom participation in the rebuilding work, particularly as British firms have been suppliers for many years. Therefore, in view of our attitude to that early-day motion, I certainly do not intend to find time for a debate on it.

Mr. Derek Conway (Shrewsbury and Atcham): Will my right hon. Friend try to find time next week for a debate on a subject about which I have received more messages and letters than about badgers, the community charge or any other subject that I can recall over the past eight years, namely, the coverage of the Gulf war by the BBC and ITN? Many of my constituents, over a range of political views, have been incensed by the fact that the British media have allowed themselves so treacherously to be used as Iraqi propagandists. The House should be able to express a view about that.

Mr. MacGregor: I am surprised that my hon. Friend has received more letters on any subject than on the Badgers Bill—*[Laughter.]* To respond to his serious point, views have already been expressed in the House on that matter. It is clearly the responsibility of the broadcasting authorities to behave responsibly on all those issues. It is a matter that can be and has been raised in our debates on the Gulf.

Mr. Thomas McAvoy (Glasgow, Rutherglen): Is the Leader of the House aware that, with the support of the Rutherglen Liberals, the Greater Glasgow health board sold public land in Rutherglen to TaKare plc for the provision of units for the care of the elderly? The board

justified that sale by stating that the site would be used for national health service patients, but it has now been revealed that TaKare plc intends to use part of the site exclusively for the care of the elderly in the private sector. Will the Leader of the House arrange for a member of the Treasury Bench to make a statement to the House on the legality of the sale?

Mr. MacGregor: I know nothing about that matter, and I cannot promise the hon. Gentleman a debate.

Mr. Paul Marland (Gloucestershire, West): Will my right hon. Friend consider setting aside a little time in the not-too-distant future to discuss further the profligacy of some county councils, especially Gloucestershire county council, which, under the control of the Liberal Democrats, has increased its spending at twice the rate of inflation and exceeded its own budgets by millions of pounds? Now, thank goodness, it is faced with the possibility of charge capping. This year, despite previous promises——

Mr. Speaker: Ask for a debate, please.

Mr. Marland: Well, may we have a debate to discuss this matter? Despite previous promises, and despite an extra grant from the Department of Transport for road improvements, under the Liberals, Gloucestershire county council will still not meet its commitment for the construction of the Lydney bypass, an important road in the Forest of Dean. Will my right hon. Friend arrange for a debate to discuss the matter—*[Interruption.]*

Mr. Speaker: Order. Enough; let us have a debate on that, too.

Mr. MacGregor: In the majority of cases, the overspending to which my hon. Friend referred has been undertaken by the Opposition parties, as my right hon. Friend the Prime Minister pointed out at Question Time earlier. I am sure that my hon. Friend will find other opportunities of raising in the House the issue of the bypass, as well as his general question, on which he has my sympathy.

Mrs. Alice Mahon (Halifax): Will the Leader of the House find time next week—I accept that he has said that there will be time after the Budget—to discuss the deep recession that the country is now in? If he will give Government time for that, perhaps he will arrange to bring to the Dispatch Box Ministers who take the situation seriously. My constituency and the Calder valley have lost 3,000 manufacturing jobs in the past 12 months, but instead of answering a serious point about industrial policy, yesterday a junior Minister resorted to personal insults. That did not insult me, but it does insult every person who has lost his or her job in Halifax and who is now facing dire consequences and struggling to pay the poll tax and mortgages. Will the right hon. Gentleman please make some time available to discuss the recession because things are desperate and thousands of jobs are being lost every day?

Mr. MacGregor: I reject absolutely the charge that there is a deep recession. There is no doubt that all Ministers take seriously the importance of pursuing the right economic policies to ensure that we achieve the kind of growth in the 1990s that we achieved throughout the 1980s.

On the hon. Lady's point about a debate, she will know that we have debated such matters quite a lot recently and, as I have said, some days will be devoted to all economic issues following the Budget statement.

Sir Anthony Grant (Cambridgeshire, South-West): Is my right hon. Friend aware that some of us would welcome a debate on the report of the Select Committee on Trade and Industry on Rover and British Aerospace because it would enable us not only to point out that that deal saved nearly 200,000 jobs, which the Opposition are so concerned about, and millions of pounds of taxpayers' money, but to draw attention to the fact that the wild allegations made by the Opposition Front Bench on this issue were wholly rejected by the European Commission?

Mr. MacGregor: I am grateful to my hon. Friend. Although I cannot pre-judge it, I imagine that those are some of the points that will be dealt with in the Government's reply. It is right to wait for the official reply and we shall then consider whether it is appropriate to have a debate. Meanwhile, my hon. Friend has made his point effectively.

Mr. Tony Banks: When gliding around London in his chauffeured limousine, is the Leader of the House aware of the deep anger of Londoners, especially London commuters, about the state of London transport? The Secretary of State made a statement yesterday, but that is no substitute for a full debate. The Government took responsibility for the administration of London transport from the Greater London council, which is why it is in such a mess. May we have a debate? The matter is urgent.

Mr. MacGregor: As the hon. Gentleman said, a statement was made yesterday. We have a full programme of legislation and many hon. Members are pressing me for debates on many issues. I cannot promise a debate in the near future on the state of London transport.

Mr. Jonathan Sayeed (Bristol, East): My right hon. Friend will have noted early-day motion 500, entitled "Merchant Navy," which has attracted 244 signatures in just two days.

[That this House welcomes the recent report of the Joint Working Party on British shipping published in September 1990; notes the vital importance of Britain's merchant fleet for the economy, employment and our strategic defences; recognises the links with regard to economic activity and maritime skills, between the merchant fleet and the marine related industries; notes that British shipping and those marine related industries together contribute some £5 billion a year to the country's invisibles; and calls on her Majesty's Government to take immediate and positive action to first ensure that the British fleet is strengthened by appropriate stimulation of investment in modern tonnage and second encourage the recruitment, training and employment of British seafarers.]

As maritime activity is essential to the economic well-being and security of this country, and as there is widespread support in the House for the regeneration of our maritime fleet, may we have a debate on the subject at the earliest opportunity?

Mr. MacGregor: I have indeed noted the early-day motion, and I agree about the importance of the maritime fleet and the industry as a whole. My hon. Friend knows that the Government are actively following up the

[Mr. MacGregor]

recommendations of the joint working party report to which the early-day motion refers. The recommendations deal with, among other things, recruitment and training. Assistance with the cost of training Merchant Navy officer cadets is provided for under the Merchant Shipping Act 1988. The early-day motion refers to financial assistance. The General Council of British Shipping and others have made submissions to my right hon. Friend the Chancellor of the Exchequer in the context of the forthcoming Budget. I cannot anticipate any decisions on that issue.

Mr. Speaker: I am sorry that I have not been able to call all hon. Members. I shall keep the list carefully next week to ensure that those who were not called have precedence at business questions next week.

Opposition Day

[8TH ALLOTTED DAY, 1ST PART]

The Gulf

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

I make a special plea to those on the Front Benches and those on the Back Benches to limit their speeches. As I have already said, 24 hon. Members wish to participate in the debate and I should like to call as many of them as possible. If Back-Bench Members were to limit their speeches to, say, five minutes each and those on the Front Bench to 10 minutes each, it would enable most hon. Members who wish to participate to be called.

Mr. Ken Livingstone (Brent, East): On a point of order, Mr. Speaker. May I ask you to reconsider your decision? We are on the point of a ground war and the only way in which hon. Members who oppose the war starting could express their opinion would be to vote for the amendment in the name of my right hon. Friend the Member for Chesterfield (Mr. Benn) and others. I ask you to give us the chance to do that by taking that amendment, too.

Mr. Speaker: Sadly, it is not possible for me to call more than one amendment. I think that the hon. Gentleman knows that. I have made my selection.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker. Will you confirm that there have been occasions, albeit rare, when other amendments by smaller groups in the House have been accepted and that this should be one of those occasions? Would you also bear it in mind, Mr. Speaker, that since the motion was tabled last night, another 20 people have signified their willingness to add their names to the 20 who tabled the amendment? Would you, therefore, reconsider what you have just said?

Mr. Speaker: I cannot reconsider. The hon. Gentleman knows that I can select only one amendment, but, of course, those who oppose the motion will have the option to express their opposition in the Division Lobby later.

4.3 pm

Mr. Jim Sillars (Glasgow, Govan): I beg to move,

That this House, having given continuous overwhelming support to British forces in the Gulf and therefore mindful of its responsibility to them, and to the status and integrity of the United Nations, calls on the Government to ensure that war aims, and efforts to create peace and security in the area, are restricted to the terms set out in the relevant United Nations Security Council Resolutions; and declares that no diplomatic opportunity should be lost to bring the present conflict to an end in terms compatible with United Nations Security Council Resolution 660.

In a sense, I am in an unenviable position. I am like a man trying to step on a single spot in a moving river because I understand that information is still coming out of Baghdad. The latest that I have heard is that Saddam Hussein has said —this is a very rough translation and quotation:

"We will continue the struggle confident that we will eventually win victory . . .They want us to surrender but they will be disappointed."

When Tariq Aziz delivers the Iraqi response to the Soviet offer there will be no other. Hussein says:

"The mother of all battles will be let loose."

I rise to speak in an extremely pessimistic mood. Earlier this week, I talked to people with background knowledge of the situation. Their view of Saddam Hussein was that his calculation is that if he could not personally survive, he would rather bring the whole temple down on his head, irrespective of the human cost involved. This afternoon's debate is highly relevant because whether there is a final, final chance of peace, whether before the land battle starts or when the land battle is engaged, it is extremely important that we understand the war aims for which the troops are engaged. It is legitimate for us this afternoon to probe and investigate the Government's war aims.

Before doing so, I place it clearly on the record that nothing that I say in probing those war aims or in disagreeing with the Government is a diminution of the support of the Scottish National party for British forces implementing United Nations policy in the Gulf. They have our unequivocal support. I also ask the House to recognise that we are arguing, as we have done since 2 August 1990, that Saddam Hussein bears the primary responsibility for the conflict in which we are engaged. It has always been his key decision whether there has been peace or war.

We in the west, who live in a democracy, often find it difficult to understand that someone like Saddam Hussein could have, from the beginning, determined on war as part of his political policy. However, that has always been part of his political policy.

There are two reasons why the Scottish National party chose this issue for debate on our one half Supply day. First, it reflects our long-standing concern about the Gulf, a great strategic region of the world. I advance as proof the letter that I wrote to the Foreign Secretary on 24 July 1990, eight full days before the invasion of Kuwait. I wrote:

"Dear Douglas,

Iraq and Kuwait.

I am extremely concerned at the dispute that Iraq has whipped up with Kuwait, and the latest news of Iraqi troop movements at the Kuwait border lends a new dimension of anxiety, particularly in view of Saddam Hussein's record of aggression and the long standing Iraqi claim to what is Kuwait territory.

I appreciate that you and other EC governments may be awaiting the outcome of the inter-Arab efforts to settle the dispute, but given the difficulties that other Arab states face in dealing with Iraq, now arguably the most powerful and certainly the most free-moving of all in the Arab league, I believe that other pressures must be brought to bear.

As a permanent member of the Security Council, and because of Britain's historic ties with the region, a special responsibility would seem to rest with us. May I urge you, therefore, to place the issue of Iraq's conduct before the full Security Council with a view to that body providing Kuwait, a small nation with considerable elements of democracy built into its system (unlike Iraq), receiving international assurances about its security in the light of aggession from Iraq.

I am of course aware that you and your department will not have been idle on the issue, and that considering taking the issue to the Security Council is a matter of fine judgement. However, and again I emphasise Hussein's record, when faced with Iraq seeming to mobilise for conflict, I believe it is right to call upon the UN to act decisively to preserve the peace and protect the rights of small nations."

That was written eight days before the invasion.

On 25 July, April Glaspie, the United States ambassador to Iraq, told Saddam Hussein to his face:

"The United States has no opinion on Arab-Arab conflicts like your border disagreement with Kuwait . . . I have been instructed by Secretary of State Baker to emphasise and underscore this message to you . . . I am under instructions from President Bush to seek better relations with Iraq."

No doubt in due course there will be some explanation of that inexplicable American position on 25 July when someone such as myself, a Back-Bencher with limited resources, could see on 24 July what was likely to happen. I put that on the record because it allows us properly to claim a record of reading the position accurately and a commitment to the integrity of the state of Kuwait.

Mr. David Tredinnick (Bosworth): Does the hon. Gentleman accept that the United States made it perfectly clear that it in no way condoned the possibility of the Iraqis taking over Kuwait?

Mr. Sillars: The important words in Miss Glaspie's statement are "conflict" and "border". The United States probably gave the green light, or at least it was seen that way in Baghdad, to venture into the border dispute. However, I have no doubt that that will be examined in due course.

The second reason is much more important. We are reaching the final phase of the political and military engagement between the coalition and Iraq. It is clear that as we approach it—perhaps we are already in it—the war aims and their consequences, which will carve out the political contours of the middle east for a generation or more, are of prime importance. The war aims have lain at the heart of the past seven days of activity between Moscow, Baghdad, Tehran, Washington, Paris and London.

The Government should give a calm, rational and honest explanation about what has transpired since last Friday afternoon. The House should undertake a calm, rational and honest examination of the Government's conduct in the past seven days. I draw the attention of the House to the motion before it. It refers to our responsibility for the people whom we have overwhelmingly supported—the forces in the Gulf—and our responsibility to the United Nations.

It is one thing for people like us to send young people in uniform to risk their lives for United Nations policy, to uphold the authority of the only organisation upon which we can build a new world order and to liberate Kuwait from Saddam's torture squads. It is different to ask them to risk their lives for an American war aims agenda, which goes beyond the United Nations mandate in respect of the use of force. We have a deep obligation because the troops —the Army, Navy and Air Force—are instruments of political policy. But they are not robots. They are flesh and blood. They have families, wives and children and they also have intelligence and their own opinion.

In a democracy the armed forces will always be the instrument of politics. But we have certain obligations to them. We have an obligation not to allow them to die for policy that goes astray in the hands of politicians.

Mr. Jonathan Sayeed (Bristol, East): If Iraq withdraws from Kuwait with the majority of its armour, artillery and aircraft intact, would the hon. Gentleman trust Saddam not to use them in future?

Mr. Sillars: I shall come to that during my speech.

As I said, the United Nations is the only organisation upon which we can build a new world order. It is paramount that we are not party to using its resolutions as paper flags of convenience, to be discarded when they place limits on any policy that might emerge from Washington and London.

[Mr. Sillars]

There is a clear implication that there is cause for concern about the war aims and their definition. I intend to develop an argument to show that the Government must respond to that anxiety. My submission is that the war aims are in danger of going beyond the United Nations mandate. I shall come to the question asked by the hon. Member for Bristol, East (Mr. Sayeed) in a few moments. If I am disabused of the notion that the war aims may go beyond the mandate no one will be happier than me. If Iraq tells the Soviet Union that it will immediately meet the terms of resolution 660 and withdraw unconditionally, given our original limited war aims the basis will exist for bringing the killing to a swift end and avoiding the horrors of a land battle.

However, I have been disturbed by the statements made and stance taken by the Governments of the United States and the United Kingdom before and especially after last Friday's Baghdad communiqué. Let me first chart the movement of the war aims before last Friday. On 15 January, in an important exchange in the House between the leader of the Liberal Democrats and the Secretary of State for Foreign Affairs, the leader of the Liberal Democrats said:

"I now address my remarks briefly to the question of aims, constraints and objectives. I hope that the Government will, in clearer terms than I have heard so far from the Prime Minister, the Secretary of State for Defence or the Foreign Secretary, announce what the aims of any actions would be. It is important that if we go into this terrible action we do so clear about our objectives. It would be a catastrophe to allow a war which invented its own aims as it rolled along. We must now state what our aims will be."—[*Official Report*, 15 January 1991; Vol. 183, c. 760.]

Winding up the debate, the Foreign Secretary said:

"The right hon. Member for Yeovil (Mr. Ashdown) asked a key question about our aims if there is a war, and they are clear. They are contained in the Security Council resolutions. They are to get Iraq out of Kuwait—all of Kuwait—to restore the legitimate Government of Kuwait and to uphold in that way the collective security and authority of the United Nations. Beyond that, there is a hidden agenda."—[*Official Report*, 15 January 1991, Vol. 183, c. 814.]

On 17 January, the Prime Minister made this statement to the House:

"Our aims are clear and limited. They are those set out in the United Nations Security Council resolutions: to get Iraq out of Kuwait—all of Kuwait; to restore the legitimate Government; to re-establish peace and security in the area; and to uphold the authority of the United Nations."—[*Official Report*, 17 January 1991; Vol. 183, c. 979.]

So far, so clear. On the same day, the Prime Minister made a ministerial broadcast to the people, in which he said:

"Our aims are clear. They have been set out, for all to see, by the United Nations Security Council. First, we must get Iraq out of Kuwait—right out of Kuwait. Second, we must restore Kuwait's legitimate government. And third, we must uphold the authority of the United Nations.

We and our allies want nothing more than that."

In an article in *The Times* on 18 January, the Foreign Secretary, maintaining a consistent line, said:

"Our aims are laid out in the United Nations resolutions."

He went on to repeat that the aims were:

"First, to get Iraq out of Kuwait, all of Kuwait. Second, to restore the legitimate government of Kuwait. Our aims do not go beyond this. We are not trying to dismember Iraq or to decide who should govern it. More generally, we are acting to uphold collective security and the authority of the UN Charter and UN Security Council."

The crucial words, "more generally", were the lead-in to the issue of peace and security. However, on 28 January, the Secretary of State for Defence was reported in the *Financial Times* as saying:

"Mr. Tom King, Britain's Defence Secretary, yesterday made clear that dismantling President Saddam Hussein's war machine formed part of fulfilling UN resolution 678 . . . 'It has to be right, after all the effort and all the costs and all the pain that we have been involved in. We cannot leave this half finished with a continuing menace, continuing to threaten other states in the area.'"

The Financial Times commented:

"While this position has long been tacitly understood both in London and Washington, Mr. King's remarks are the first public acknowledgement in the United Kingdom that disarming Iraq is an aim of the leaders of the coalition."

On 31 January—we now see them beginning to creep forward—an interview with the Prime Minister was reported in *The Times*.

Mr. Rupert Allason (Torbay): On a point of order, Mr. Speaker. Is it in order, given the shortage of time and your direction, for the hon. Member for Glasgow, Govan (Mr. Sillars) to read from newspapers?

Mr. Speaker: It is perfectly in order for the mover of the motion to do so, and it is a rare opportunity for the spokesman for the SNP to make his own speech in his own way.

Mr. Sillars: *The Times* wrote:

"Asked if the allied war aims were changing to include more action in Iraq once Saddam's forces had withdrawn from Kuwait, Mr. Major did not rule this out. It was impossible to be precise in defining what was meant by action to secure and preserve peace and security in the region, he said, until the circumstances arose. 'We will judge the situation at the time against the Security Council resolutions.'"

I go back to 29 November 1990, to the Security Council, at which the Foreign Secretary represented the United Kingdom when resolution 678 was introduced and voted on. We should remember that the Prime Minister was telling us on 31 January 1991 that it was difficult to be precise. This is what the Foreign Secretary said way back in November.

"We see it as one of the main purposes of this resolution to blow away the uncertainties and set out for the Iraqis exactly how they stand and how we stand. There is no ambiguity about what the Council requires in this resolution and in previous resolutions. We require that Iraq comply fully with the terms of resolution 660 and all later resolutions and withdraw all its forces unconditionally to the positions on which they stood on 1 August."

Mr. D. N. Campbell-Savours (Workington): Does the hon. Gentleman accept that dismantling a war machine during the course of a war is helpful in securing peace and stability in the area? Does he further accept that dismantling that war machine in this war would be helpful in removing Saddam Hussein's forces from Kuwait?

Mr. Sillars: If we are talking about dismantling the Iraqi war machine in what is known as the Kuwaiti theatre of operations, the answer to the hon. Gentleman's question must be yes. But is the hon. Gentleman suggesting that the 270,000 Iraqi troops on the border with Turkey should become legitimate targets for the coalition? I would say no—that would go well beyond the Security Council resolution—unless they began to move actively into the Kuwaiti theatre of operations. I acknowledge the fairness of the hon. Gentleman's question. Let us assume

that Saddam is expelled from, or leaves, Kuwait. I do not believe that the United Nations has given us a mandate to advance on those 270,000 troops on the Turkish border.

Having sought to show that there has been a creeping of the war aims, I now quote our ally Mr. Bush, the President of the United States. At a press conference President Bush was asked:

"Now obviously it's a semi-hypothetical; he hasn't gotten out, of course. But could you tell us something about your conditions for agreeing to a cease-fire in the event that he did begin?"

Mr. Bush replied:

"Well, it would have to be a credible, visible, totally convincing withdrawal. There would be other things that I will not state here that I would want to see happen."

Mr. David Winnick (Walsall, North): There is nothing wrong with that.

Mr. Sillars: I agree that there is nothing wrong with that. My point is that the elected representatives of people who have sent troops to the Gulf are entitled to know what those other things are. We are entitled to know whether those things advanced or retarded the chances for peace in the last seven days. We are also entitled to know whether they are conditions in conformity with or compatible with the resolutions of the United Nations, of which resolution 660 is the foundation and upon which resolution 678, the licence for force, is based.

Mr. Patrick Cormack (Staffordshire, South): Have not those troops whom we all support the right to expect us to allow them to get on with the job of dismantling this war machine in every particular? If it is not dismantled, the war machine may result in thousands of British casualties.

Mr. Sillars: I do not know whether the hon. Gentleman follows the logic of what he says. The logical conclusion is that there comes a point at which political control is not applied to the military. I profoundly disagree with that.

Mr. Bill Walker (Tayside, North): Will the hon. Gentleman give way?

Mr. Sillars: I have been generous in giving way and I want to make some progress. I am trying to balance our right to deploy our arguments with the rights of other hon. Members to take part in the debate.

Mr. Speaker: The hon. Gentleman is one of those seeking to participate later.

Mr. Sillars: On Friday, Baghdad issued its communiqué and on first reading it seemed to be a list of impossible demands designed to procure a negative reply. The Foreign Secretary said that it might have had two purposes, one to split the coalition and the second simply to gain time for Saddam Hussein to regroup his military forces for a continuation of the conflict. Others who have a legitimate position in the international community, in Europe and elsewhere, took a different view. The Soviets thought that it might have been a signal of a willingness to comply. Tehran also thought that it might have been a signal and the Iranian Foreign Minister described it as a wish list rather than a list of demands. Since then everything has gone behind a veil of secrecy.

The time has arrived, especially in the light of Saddam Hussein's statement, for what has happened since last Friday to come into the open. How otherwise can we make a mature judgment about whether the next stage, the land battle and the death toll, is justified? Perhaps I could put it more brutally. What am I, as a Member of Parliament, to say to a mother in my constituency who asks, "Did my young son really need to die in that land battle?" The only answer that I can give at the moment is, "I do not know." We are entitled to know.

Until now there have been no concrete statements. We have read in the newspapers about sources in Washington and elsewhere talking about extending the aims to take out the Saddam Hussein regime, virtually to disarm Iraq and to demand recognition by Iraq of the al-Sabah family as the legitimate Government of Kuwait. That would be a different principle from that applied by the United Kingdom to international recognition, because while for a long time we have not recognised governments, we have always recognised states. Therefore, we seek to impose on Iraq a position that we do not accept in international law. There is also the issue of reparations.

Today we were assisted by the Prime Minister at Question Time telling us that to end the war Saddam Hussein must obey all United Nations resolutions immediately. He used the word "immediately" and I shall examine his use of that word in a moment. When I made my notes, I assumed that only the public would be led to believe that the United Nations has further imperative demands on top of resolution 660 which must be met before the guns fall silent. Now, listening to Conservative Members, it appears that they have joined what I perceive to be the public position. The public has been led to believe that and so have they. If that is the position being put forward by the Government, it is not an honest summation of the 12 resolutions passed by the United Nations Security Council.

Eight of those resolutions—661, 662, 664, 665, 666, 667, 669 and 677—present no fundamental obstacles if Iraq says that it will withdraw under resolution 660.

Mr. Harry Barnes (Derbyshire, North-East): Resolution 666 is about food and medical supplies to Iraq following problems which resulted from the imposition of sanctions and the onset of military action, so presumably that does not have to be complied with by Iraq, rather by the United Nations.

Mr. Sillars: Yes, the hon. Gentleman is right; he reinforces my argument. Resolution 677 says that the United Nations Secretary-General should hold the register of the population of Kuwait. What does the Prime Minister mean by the immediate implementation of all the United Nations resolutions? Resolution 670 might be important. That refers to violations of international law and the fourth Geneva convention and says explicitly that Iraq is liable for violations against human rights. Is it Government policy that, even if Iraq withdraws under resolution 660, there can be no cessation of hostilities until Saddam Hussein and his regime are brought to a war crimes trial, with all the problems inherent in that? That is important because the Minister's reply to that question will either bring in or knock out one of the resolutions to which the Prime Minister referred.

Resolution 674 refers to the liability of the state of Iraq for the costs involved and the damage done to the property of individual Kuwaitis and others and the state of Kuwait. Nowhere does that resolution mention "reparations" and that proves the absurdity of the Prime Minister's use of the word "immediately". It is not Saddam Hussein who will

[Mr. Sillars]

meet the cost. How will the Iraqi people make reparations immediately? There will have to be a mobilisation of international help for the Iraqi people. We are entitled to some explanation of the Government's attitude to resolution 674.

That leaves us with resolution 660, the foundation policy, and 678, the instrument of implementation. Resolution 660 says that Iraq should withdraw to the positions held on 1 August. It does not say that the Saddam regime should be removed or that there should be disarming or humiliation. That was a considered judgment, reinforced by resolution 678, despite the fact that Iraq had committed the greatest crime among states —the attempt to extinguish one. Is resolution 660 still the foundation of our policy, or, now that Iraq is on the ropes, is the hidden agenda to bring down the Saddam Hussein regime? I have no doubt that any declared intention to bring down Saddam Hussein would be extremely popular among the general public, but it would go well beyond the terms of the Security Council resolution. It is our duty not to be carried away by the fever or the opportunity presented by war, but to think carefully of the consequences of our action.

Perhaps I can put the question in a different form. What precisely does Saddam Hussein need to accept tonight, or when the conflict goes into its second phase, before we will call off the war, or how far into Iraq are we prepared to go? I recognise the temptation for the coalition forces to take Saddam Hussein's regime out by decisive military action. Like every other hon. Member, I detest that man and his regime. I was arguing against it when he was gassing the Kurds at a time when western and other Governments were supplying him with arms and credit.

I know that there is a concern to defeat Saddam Hussein. I am trying to be fair to the Government, and it is a fair point for them to make that up till now one of their anxieties has been that they could win a military victory but that Saddam Hussein could win a political victory because he does not need to win militarily to win politically. Two weeks ago that was possible. I doubt whether it is now.

We are talking about an Iraq with a broken-backed economy, with its social system in tatters, with its infrastructure shattered and with a military machine that is being pulverised daily. But apparently tonight Saddam Hussein is still shaking his fist. After last Friday's communiqué, in which he used the word "Kuwait", not the 19th province, and the word "withdraw", I believe that he was politically and fatally weakened and that his days are numbered.

Let me express my fear that if we are not sensitive to Arab feelings—that is, the feelings of the people and not of King Fahd and the other rulers—we could win the war but go on to lose the peace. As much as anyone else, I want Saddam Hussein to get his just desserts——

Mr. Winnick: Let us get on with the war.

Mr. Sillars: Let me tell the hon. Member for Walsall, North (Mr. Winnick) that it is crucial to the future that Saddam Hussein is brought to account by his own people. Saddam the martyr, martyred by the United States of America, would remain a potent force for evil and instability. If we want peace and security in relations between the Arab world and the west, we must be careful that they are not poisoned by our conduct in the war and its immediate aftermath.

I beg the Government to make the Americans understand the delicacy and sensitivity of the Arab peoples in the wake of an Iraqi retreat or an Iraqi defeat. I do not want to see Saddam the martyr devour the peace from the grave the way he has done while alive.

4.37 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'having overwhelmingly supported the despatch of British forces to the Gulf, welcomes the affirmation by the Government that the aims of British military action are to secure the implementation of the relevant United Nations Security Council Resolutions.'.

You have asked us to be brief, Mr. Speaker, and I shall seek to be so.

I propose, in the course of my speech, to touch on four issues: the causes of the conflict; the objectives of the coalition; how the conflict can be ended; and what needs to be done when it is concluded.

The conflict began on 2 August last year when, after weeks of intimidation and despite negotiations arranged by fellow Arab countries, Saddam Hussein invaded Kuwait. To the very eve of the invasion Saddam Hussein was promising fellow Arab leaders that he did not intend to use force. That was a lie.

The attack on Kuwait, a small sovereign state, militarily weak, no threat to him and Islamic in character, was wholly unprovoked. His pretence that he invaded Kuwait in order to free Palestine is a lie. He used force in order to promote his own policies in precisely the same way as he used force against Iran in 1980 and against the Kurds in 1988.

Iraqi forces have plundered Kuwait. Two thirds of the indigenous population has been displaced. The country has been looted. Many of its citizens have been murdered. As the Amnesty report makes plain, Iraqi forces have systematically employed brutality and torture as an instrument of policy. This is the nature of the regime and these are the causes of the conflict. It is not possible to conceive of a clearer act of aggression.

Mr. Kenneth Hind (Lancashire, West): The hon. Member for Glasgow, Govan (Mr. Sillars) talked about the Iraqi people removing Saddam Hussein. My hon. and learned Friend has just given us a chapter on the behaviour of Iraqi troops in Kuwait. We know, from the massive breaches of human rights in Iraq—the torture, the removal of political opponents and their death at the hands of the security forces—that there is neither the will nor the people to lead any attempt to remove Saddam Hussein in the way that the hon. Gentleman suggested.

Mr. Hogg: We shall see. The destruction that Saddam Hussein has brought upon his people may prompt them to remove him, and to do so soon.

Ms. Clare Short (Birmingham, Ladywood): Will the hon. and learned Gentleman give way?

Mr. Hogg: I shall press on for a little while.

As regards our objectives, the reaction of the international community to this act of Iraqi aggression

was swift and resolute. Twelve resolutions have been passed by the Security Council, either unanimously or by overwhelming majorities. Some 30 countries have now committed themselves in support of the United Nations, either to enforce the embargo or to defend Saudi Arabia or to liberate Kuwait. Within this coalition are to be found 11 Muslim states, most notably Saudi Arabia, Egypt and Syria. This is an international operation, an exercise in collective security which is taking place under the authority of the United Nations.

Our objectives are clear: the full and unconditional withdrawal of Iraqi forces from Kuwait, the restoration of the legitimate Government of that country and the restoration of peace and security in the region. Iraq must also accept the authority of the Security Council and its decisions. We have no other objectives.

I have told the House what our objectives are. Now let me tell the House what we do not intend: we do not intend to occupy Iraq; we do not intend to change its borders; and we do not wish the destruction of its economy. While we would not grieve if Saddam Hussein were induced to stand aside, or otherwise ceased to be the leader of Iraq, it is no part of our purpose to change the Iraqi system of government or to select its leader for it. Moreover, while part of our legitimate campaign to expel Iraq from Kuwait will involve the dealing of heavy and telling blows, both against Iraqi troops in Kuwait and against legitimate military targets and facilities in Iraq which support Iraq's occupation of Kuwait, the destruction of the Iraqi army is not itself a war aim. That may happen in the course of the campaign, but it is not in itself a specific war objective.

Mr. Hugh Dykes (Harrow, East): I am sure that my hon. and learned Friend's extremely wise words will be welcomed throughout the House, with the emphasis that he puts on war aims. Will he confirm that that means there are no plans to occupy Basra, except in the course of pursuing the war, if, sadly, a land war has to start, and that there is no long-term American objective of taking Basra, as has been rumoured? Also, will he confirm that the Security Council will be in regular and frequent session, monitoring the progress of these unfortunate matters as they develop?

Mr. Hogg: As I said, occupying Iraq is not our objective —and Basra is part of Iraq—save in the process of expelling Iraqi forces from Kuwait. What is true of this country is true of other countries within the coalition.

As regards the circumstances in which the conflict can be brought to an end, our purpose is to secure compliance with the Security Council resolutions. What the international community requires and has a right to expect is an unequivocal commitment by Iraq to withdraw its forces fully and unconditionally from Kuwait. When the Iraqi Government are ready to comply with the mandatory resolutions of the Security Council, they should say so unambiguously and match their words with decisive and irreversible proof. There needs to be clear evidence of withdrawal, and there must be repatriation of allied prisoners of war. As yet, there has been no such statement, there is no such proof and we have seen no such evidence. Accordingly, hostilities will continue.

Mr. Giles Radice (Durham, North): What is the Government's reaction to Saddam Hussein's speech this afternoon, which a number of us have been watching on CNN, including, I suspect, President Bush?

Mr. Hogg: I have not seen the speech, although I have heard reports of it. It would be premature to come to a firm conclusion, but, regretfully, it did not sound like the speech of a man who was about to comply unconditionally and irrevocably with the resolutions of the Security Council.

I now turn to the proposals put forward by the Soviet Government. On Monday evening my right hon. Friend the Prime Minister received a personal message from President Gorbachev. In it, Mr. Gorbachev set out the proposals which he had already put to the Iraqis and which he hoped might form the basis of a ceasefire.

The message was delivered and received in confidence and its full contents have not yet been publicised.

The Soviet Government have given the Iraqis yet another opportunity to comply with the requirements of the United Nations. We welcome that fact. What we now expect from Iraq is a response which fulfils those requirements. When we see that the United Nations Security Council resolutions are to be fulfilled, there can be an end to this conflict. This afternoon's launch of two Scud missiles to Saudi Arabia was not the message that we were looking for.

Mr. Tam Dalyell (Linlithgow): In the Minister's judgment, is the view of the United Nations, in whose name this is supposedly being done, taken into account? Is any effect being made to ask the Secretary-General of the United Nations what he thinks before decisive action is taken?

Mr. Hogg: There is no supposedly about it. We are taking action under the authority of resolution 678 of the Security Council. We are acting under the authority of the United Nations and pursuant to the wishes of the Security Council.

Sir Alan Glyn (Windsor and Maidenhead): Does that include the destruction of chemical materials and possible atomic weapons in Iraq before the completion of the peace agreement?

Mr. Hogg: A great deal of damage has already been done to Iraq's chemical, and potential biological and nuclear warfare capacity, delaying its ability to produce such weaponry for a long lime to come.

Although we will not trespass beyond the terms of the Security Council resolutions, we do not propose to derogate from them. We are not seeking the humiliation of Iraq, but nor are we interested in face-saving formulas designed to remove Saddam Hussein from the hook on which he has impaled himself.

We will not allow the Iraqis to play for time. We will not put at risk the lives of our forces. We are determined to ensure an early return of British and allied prisoners of war. Iraq knows how to end this conflict: by a complete and unconditional compliance with the decisions of the United Nations. As Saddam Hussein was well aware, his proposals of 15 February did not meet that requirement.

Mr. Tony Benn (Chesterfield): For three days now the War Cabinet has been in possession of the Soviet proposals, but has not yet disclosed them to the House or the public. As the War Cabinet has had an opportunity to study those proposals, it would be very helpful if the Minister could tell us whether the Government believe

[Mr. Tony Benn]

that, if Saddam Hussein accepted them in their entirety, the requirements that the Minister has set out would be satisfied.

Mr. Hogg: Welcome though they are, the Russian proposals do not ensure full compliance with the Security Council resolutions; nor do they ensure that Saddam Hussein will accept the authority of the Security Council.

When the conflict is over, there will be much to be done——

Mr. Benn: Will the Minister give way?

Mr. Hogg: No. I have already given way to the right hon. Gentleman.

As I have said, there will be much to be done: the reconstruction of Kuwait, the establishment of a durable and effective security structure for the Gulf states, a renewal of the efforts to promote a settlement of the Arab-Israeli problem, and the setting up of a more effective arms control regime in the area. All those issues are urgent and important, but I shall confine myself on this occasion to the questions of Gulf security and the Arab-Israeli settlement.

We are willing to play a part in underpinning the arrangements that the Gulf states and other regional powers may devise, but the concepts, the proposals and the principal effort must come from within the region. We will respond if that is what is required by our Arab friends, but our commitment will inevitably be modest. It could take the form of a naval presence, training or joint exercises. What we could not consider is the stationing of British ground troops in the area, or a return to the pre-1971 east-of-Suez role. That would not be in the long-term interests of the region.

Saddam Hussein's attempt to link his invasion of Kuwait with the fate of the Palestinians was a lie, and was widely recognised as such; indeed, Saddam's aggression has made the search for a durable solution yet more difficult. Once the conflict is concluded, however, we need to return with yet greater vigour to our efforts to resolve the wider issues within the midle east. There are two principles on which we should stand: first, the right of Palestinians to determine their own political future; and, secondly, the right of Israel to live within secure and accepted frontiers. In the absence of a settlement, the middle east will remain unstable. We therefore have a duty to solve this problem, and an interest in doing so.

Let me deal now with the issue before the House. We applaud the despatch of British forces to the Gulf. We acknowledge their courage, skill and dedication to duty. We assert the importance of their task. We declare that they act under the authority of the United Nations, and to sustain that authority. It is for those reasons that they are there, and upon the achievement of which they will return.

4.54 pm

Mr. George Robertson (Hamilton): After this afternoon's broadcast by President Saddam Hussein, this must be a sombre day in the House and throughout the world. The position is not clear but, as the Minister has said, it does not sound promising. Of course, we must wait for an authoritative version of the speech, and we must also wait to see what message Mr. Tariq Aziz takes with him to Moscow tonight. We must hope that Saddam Hussein will see sense even at this late hour, but if Saddam's message constitutes a rejection of the Soviet peace plan and he does not intend to withdraw from Kuwait unconditionally, any decision to start a land assault will have been made not by the allies but by Saddam Hussein himself.

Mr. Alex Salmond (Banff and Buchan): Will the hon. Gentleman give way?

Mr. Robertson: Not at this early stage—I must get on with my speech.

Today's debate is about war aims. The country will surely be asking, "Are not the war aims of the 28 nations in the coalition perfectly clear, and are they not enshrined precisely and concisely in all 12 United Nations Security Council resolutions under which the liberation of Kuwait is authorised?".

Thousands of British troops—constituents of all of us—are in the deserts of Saudi Arabia. Many are from Scotland, reflecting the Scottish domination of the professional army of which this country is so proud. They are ready to risk their lives to get Saddam Hussein's army out of the land that it has annexed and to restore a legitimate Government to Kuwait, a sovereign country which has been eliminated and brutalised by Iraq since 2 August last year. Those British troops demand, deserve and will receive the continuing support of their Parliament and their fellow countrymen and women. They are far from us and from their families, and they face a powerful and well-armed opposing force which cannot and should not be underestimated.

Let us be clear and unanimous on one point. From the beginning, ever since the invasion of Kuwait, the war has been the responsibility of one person and one person alone—the one person who, as the hon. Member for Glasgow, Govan (Mr. Sillars) pointed out, could have stopped the conflict, bombing and destruction on both sides at any time of his choice in the past six months. Saddam Hussein started the war on 2 August when he invaded Kuwait. With his rejection of every peace plan that was presented before the United Nations deadline of 15 January, he personally continued that war and the misery that it inflicted on his people and the people of Kuwait.

The hon. Member for Govan, whose professional background gives him great insight into the affairs of the region, said in a perceptive article in *The Scotsman* on 12 January:

"I may of course be wrong and perhaps Saddam's extravagant rhetoric is for real and he will not budge for anything. If so then the use of early force is inevitable, because if Saddam is still in Kuwait after Ramadan he will never be removed."

On 28 January, the hon. Gentleman wrote in the same paper:

"Whatever one may think about the use of sanctions or whether a final compromise offer should have been made to him, we cannot ignore the stark evidence that Saddam Hussein calmly chose the path of war."

Time and again, he has rejected every opening given to him.

Until last Friday there was not the slightest inkling that Saddam cared anything for an end to the punishment of his people, and even as we speak in this debate there is still no evidence that last Friday's signal was anything more than a device to avoid some possible extension of the conflict.

Mr. Salmond: The Minister described the Soviet proposal as inadequate in some unspecified way. I

understand that the Leader of the Opposition has had a briefing from the Soviet ambassador. Can the hon. Member for Hamilton (Mr. Robertson) tell us whether, in the view of the Labour party, the Soviet proposal is adequate and a basis for settlement?

Mr. Robertson: My right hon. Friend the Leader of the Opposition made it clear yesterday that, from what he knows and has been told of the outline of the Soviet proposal, in general it contains points that we would support; but my right hon. Friend made it clear on one specific issue, as we have done since the beginning of the war, where there is some doubt about what the Soviet proposal actually says, that we will support a ceasefire only if there is a genuine, complete and immediate implementation of unconditional withdrawal. As I shall go on to say, we believe that the Soviet peace plan offered an opportunity to break the inflexibility, which might well have prevented a further extension of the conflict.

However, for the sake of the wider peace of the world, we must hope beyond hope that even in these few hours President Gorbachev's brave and imaginative initiative may appeal to the Iraqis. Saddam Hussein now knows what he is up against. He knows that he cannot win, and he must by now realise that he must unconditionally leave Kuwait before there can be any ceasefire. He must also know, because he has been told often enough, that by withdrawing he can avoid the assault that will follow any new decision on his part to "choose the path of war". He must also be convinced that if he withdraws and complies there will be no question of an outside threat to himself or the dismantling of his Government or state.

Our troops out there in the desert also know that by a deliberate policy of minimising any civilian casualties in Iraq they perhaps prolonged the conflict and undoubtedly added to their own risks, but it was an essential part of showing that our standards are in marked contrast with those of Saddam, with his indiscriminate and random Scud attacks on populated civilian areas in Israel and Saudi Arabia. Our troops know what they are fighting for and can be clear that the objectives of the whole military exercise are to evict Saddam Hussein from Kuwait and restore that country's own Government in line with all the United Nations resolutions.

We are absolutely clear in the Labour party about this. On 21 January, my right hon. Friend the Leader of the Opposition said:

> "The war aims of liberating Kuwait from occupation and restoring the legitimate Government are precise and limited, and rightly so."

He went on to say that they

> "do not relate to the dismembering of Iraq . . . or include . . . the death of a dictator."—[*Official Report*, 21 January 1991; Vol. 184, c. 33.]

On Tuesday this week the Minister of State, the hon. and learned Member for Grantham (Mr. Hogg), made it clear that

> "Saddam's removal is in no sense a war aim",

and he has been precise and explicit this afternoon as well. I would like also to quote General Schwarzkopf, whose words at a press conference yesterday are reported as follows in *The Guardian* today:

> "But when asked if he would consider his military mission successful if Iraq withdrew unconditionally from Kuwait, even though Hussein might remain in power with part of his military intact, he replied 'Absolutely. The President has said all along that we weren't out to destroy the country of Iraq, we weren't out to destroy the army of Iraq'."

That is the commander of the American forces in the area and the leader of the alliance of 28 nations.

Those words seem to me explicitly to remove any ambiguity that may have existed. The Minister and the general were right to reiterate those truths and they were also correct to underline the strict and sensible limitations on what the alliance is in the Gulf to do.

Ms. Short: I agree with the hon. Member for Hamilton (Mr. Robertson) that what the Minister of State said today is welcome. Does the hon. Gentleman agree with me that when I asked the Secretary of State for Defence whether that part of the United Nations resolution which talks about destroying international peace and security in the area might authorise the attempt to destroy the Iraqi regime, its war machine and so on, he said that it might well, but that what he has said today is a very welcome change and shift back from that?

Mr. Robertson: I am not certain whether it is a change or not, but this debate was called specifically to consider the war aims. I believe that what the Minister has said in such precise terms removes any ambiguity that others may have indicated and that General Schwarzkopf, speaking on behalf of the American forces, has also said something which will reassure those who may have believed until now that there was some ambiguity.

It is right that we should consider the war aims because they are intimately connected with the aims of peace. The peace and stability referred to in resolution 678, which must be the overwhelming objective after Iraq leaves, will be accomplished by the way in which the war is conducted and concluded. There is concern that the liberation of Kuwait will none the less create a martyr and lead to the birth of Saddam Hussein as an Arab hero, even a posthumous one, especially if the masses in the Arab countries who are in the coalition choose to follow his message rather than that of the United Nations. It is therefore crucial that we in this unique coalition win the political campaign as well as the military one. So, in being precise about the aims of the war, we can and must be precise about the aims of peace. That is why the aims of the war and of the peace lie in all the Security Council resolutions and not just in resolution 660.

On the motion and amendment before the House, the Labour party believes that there need not be a vote this evening. Before the House we have a motion and an amendment, both framed in words which seem to say exactly the same thing. One would have to be a forensic scientist—perhaps a political forensic scientist—to spot the differences. So why are we being forced to choose? Could there not have been some common resolution which would have united the objectives of both sides of the House?

Mr. Livingstone: We are going to have a vote, whatever happens, George.

Mr. Robertson: I have no doubt that my hon. Friend the Member for Brent, East (Mr. Livingstone) would have voted whatever the resolution was and I fear that he would have been on the losing side whatever the resolution was as well.

I add, in a spirit of no acrimony at all, that I frankly cannot understand why the Scottish National party insists in the final line of the motion that the end to the present conflict is compatible only with resolution 660 and not

[Mr. Robertson]

with all 12 of the United Nations resolutions on Kuwait. Labour Members believe that all the resolutions matter, not only for the war but for a just and securely based peace when it is all over. We therefore believe that in those circumstances a perhaps unnecessary distinction is being drawn in the motion which seems to derive from a difference between the Government and the SNP. We shall therefore adhere to our usual policy in minority party debates and stay out of the argument and out of the Lobbies.

Mr. Benn: Two questions will be before the House: whether or not to accept or vote for the SNP motion—which many, including myself, cannot accept—and a Government amendment preceded by a speech from the Minister who has rejected the Soviet proposal as unacceptable. Yet the hopes of the world and of those who wish to avoid a land war hinge on the possibility that Saddam Hussein will accept it. I hope that my hon. Friend will not invite us to assent to the Government's view that the Soviet proposal is unacceptable.

Those are the issues that will be before us.

Mr. Robertson: My right hon. Friend was perhaps listening to the radio rather than to what I said. I said that we would stay out of the argument and stay out of the Lobbies. We support neither the SNP motion nor the Government amendment. My right hon. Friend has been a Member of the House a great deal longer than I have. He knows that speeches are not the same as motions and that we are being asked to vote on a motion dealing with aims and objectives.

The Gulf war has been a wholly avoidable conflict. It was, and still is, the creation of a brutal repressive dictator who, not for the first time, is willing to see his poor benighted people further persecuted for the sake of his own futile megalomaniac territorial ambitions.

The issue before us is of some importance because out of the war, with all the dreadful problems that it has created, has come one major benefit. It is that the role of the United Nations has been exercised, as we always hoped that it would and never expected that it could, and that the United Nations is pivotal to the construction of the peace that must come hereafter. All parties in the House agree that the aims of the war lie precisely in the authority given from the United Nations. If we are to learn from all that has happened, it is essential that the aims of the peace must also lie in the United Nations. In that way alone, the outcome of the peace can be as certain as the outcome of the war.

5.10 pm

Sir Dennis Walters (Westbury): The obvious joy and relief shown by Iraqi people when it looked as though Saddam Hussein had agreed to withdraw from Kuwait indicated better than anything what their true feelings are. They have already paid a heavy price for Saddam Hussein's indefensible adventurism and we all hope that their suffering, and that of the people of Kuwait who have been subjected to appalling torment since August, will soon be ended. From what we have just heard, however, it would appear that Saddam Hussein is determined to make the ending of the war even bloodier than its beginning.

It was never likely that the Gulf war would end either bloodlessly or in a matter of days. Saddam Hussein's determination to hang on to Kuwait made war inevitable and war is never surgical or painless.

The danger of the war escalating in other directions seems to have receded and Saddam's missiles over Israel have so far not achieved their primary objective. More than anything else, what rockets over Tel Aviv, launched from Iraq, have shown is the futility of the argument that a mini-Palestinian state on the west bank and Gaza was the main threat against which Israel had to guard. With modern weapons, a few extra miles of land are quite insignificant. A future threat to Israel would arise not from the west bank, but as a result of Israel's not having achieved a modus vivendi within an overwhelmingly Arab world and not having defused the Palestinian issue by agreeing to self-determination in the west bank and Gaza. If Israel was willing to do that, it would have an excellent opportunity of living in peace with its Arab neighbours, as it has successfully done with Egypt.

Saddam wanted Kuwait and refused to believe that the United Nations resolutions would be implemented, if necessary by force, so any form of negotiation with him would have come to nothing and he became interested in the Palestinian cause only when he realised that it was a useful card to play.

Even so, our reluctance to give prompt support to the idea of an international conference on the Arab-Israeli dispute—which after all is British and European policy—is not wholly easy to understand. We seemed to get unnecessarily bogged down in the semantics of "linkage".

The reality is that there is a clear association between the incapacity of the United Nations to deal effectively with Israel's unlawful occupation of Arab territory acquired by force in 1967—in particular, of the west bank, Gaza and east Jerusalem, which is all that remained of mandatory Palestine—and the extremely effective way in which the United Nations has dealt with the unprovoked aggression on Kuwait in 1990. United Nations resolution 242 has never been implemented. Nearly half a million American and allied troops have gone to war to implement resolution 660.

We all refer constantly these days to the breaking of the Geneva convention—quite rightly so—yet the Geneva convention has been broken day in, day out for 23 years in the Israeli occupied territories provoking little protest. Why did the United States either veto or blunt successive United Nations resolutions on Israel while leading the field against Iraq? These are not academic questions—they go to the heart of the divisions, instability and bitterness that prevail in the Arab world and explain why, despite everything that a devious and cruel despot like Saddam Hussein has done, he still enjoys considerable support. Unless they are satisfactorily answered, the charge of double standards will stand and in the long run the consequences will be disastrous.

When Saddam Hussein has been defeated and Kuwait liberated there will be an opportunity to resolve these festering problems, and it must be seized.

An international conference on the Arab-Israeli question is no magic or exclusive formula. What is essential is that the Palestinian question should be resolved according to the principles of the United Nations charter and the resolutions of the United Nations.

Resolution 242, which calls for Israeli withdrawal from Arab territories occupied in the war of June 1967, and which my right hon. Friend the Foreign Secretary described as

"the internationally agreed basis for settlement",

must be enforced. The Palestinians have a right to self-determination and Britain has a particular moral responsibility to Palestine which it must stop trying to shirk.

The Palestinians must negotiate with Israel—of course—but they are entitled to choose who represents them; if that representation turns out to be the PLO, Israel must accept that fact. Alternatively, free elections, supervised by the United Nations, should be held as a matter of urgent priority on the west bank and in Gaza so that the Palestinians can elect their representatives. Palestinians in the diaspora should also be represented, and in any event almost certainly the PLO would continue to be the chosen representatives of the Palestinians within and without.

Israel has a right to guaranteed and secure borders—of course it has—but those borders must be defined according to international law and United Nations resolutions.

Personally I take the view that Mr. Arafat was gravely mistaken in lending support to Saddam Hussein's Iraq, even though he had been seriously provoked. Professor Waleed Khalidi put it well when he said recently that in the years before the crisis Arafat had

"probed the outermost circumference of concessions to Israel in the hopes of winning the dialogue with the United States. But no sooner had the dialogue begun than it became clear that Washington, despite its commitment to a substantive dialogue, was bent on treating Arafat like a criminal on probation, denying him a visa to the United Nations, hounding the PLO out of UN bodies."

That said, Arafat was still wrong because the principles violated by Saddam Hussein in his invasion of Kuwait are the very principles from which the Palestinian cause derives its moral strength.

Western economies are oil-oriented and will remain so in the foreseeable future. It is therefore imperative, even as a matter of pure self-interest, that we should resolve a problem that has been at the root of all the disputes and turmoil in the middle east for the past 40 years and that the United Nations should retain the momentum. An overall settlement should include an agreement to ban all nuclear and chemical weapons in the area. It should apply to all the relevant countries in the middle east, including Israel, and should be properly monitored and enforced by a United Nations supervisory team backed by the Security Council. Unless these things are done, all the efforts and sacrifices to defeat Saddam Hussein will have been in vain. Bitterness and frustration will grow, other Saddam Husseins will emerge, and peace and stability in the middle east will be as far away as ever.

5.21 pm

Sir David Steel (Tweeddale, Ettrick and Lauderdale): In the interests of the brevity that the Chair has sought, I shall refrain from following the hon. Member for Westbury (Sir D. Walters) into wider middle east questions. I do, however, agree with almost everything that the hon. Gentleman said on the subject.

This debate began in very sad and sombre mood. Just after 3.30 pm we heard reports of Saddam Hussein's television speech, in which he said that Iraq's armed forces are determined to continue their struggle—thereby, in my view, removing any last hope that the Soviet proposals might have any real effect. Saddam Hussein went on to say that he was sending Tariq Aziz back to Moscow tonight with counter-proposals, which he described—I think I have the correct translation—as the sister of those that he had made previously. In other words, this is a different orchestration of the same tune. This House must do what the five permanent members of the Security Council did in recent days—make it clear that we do not need alternative proposals from Saddam Hussein. All that he needs to do is withdraw unconditionally and quickly. He should announce his intention to withdraw from Kuwait and then withdraw immediately. That would bring the war to an end. But Saddam Hussein is not doing that.

In the meantime, the parliamentary human rights group has produced evidence that the people of Kuwait continue to suffer as a result of the appalling inhumanity of the occupying regime. I shall dwell on this for a moment because, like many other hon. Members, I am impressed by the effect that much of the television reporting from Baghdad has had on public opinion in this country. At the weekends in my constituency I find deep resentment at the fact that so much censored and doctored material fills our television screens. Most people accept, with deep regret, the casualties that have occurred inside Iraq as a result of allied action. They accept that those are a catastrophic harsh accident of war. But that is very different from the catalogue of deliberately inflicted cruelty that the document from the parliamentary human rights group lists. It is different in kind and, in my view, it is altogether different in moral standing. We have to remind ourselves that, in view of the action being taken by the occupying forces in Kuwait, and in view of the many peace initiatives that have been taken but have come to nothing, it is right that our forces should be given full support for the action that they have to take.

Mr. Andrew Rowe (Mid-Kent): Will the right hon. Gentleman give way?

Sir David Steel: I will give way once, but only very briefly.

Mr. Rowe: I wonder whether the right hon. Gentleman has seen the recent accounts of Iraqi prisoners and some refugees having said that the extraordinary accuracy of the allied bombing left their houses untouched, while military establishments next door were destroyed.

Mr. Jeremy Corbyn (Islington, North): What about the shelter?

Sir David Steel: I accept that there have been regrettable casualties. It was not our intention or our wish that there should be such casualties. All that I am saying is that they are different from the cruelty and barbarism being deliberately inflicted on the people of Kuwait—cruelty and barbarism that were catalogued by our colleagues two days ago.

It is the view of my party that we should not be justified in moving to the next stage—what will inevitably be an even bloodier war on land—were we not fully satisfied that every realistic peace initiative to prevent that war had been completely explored. We have never pooh-poohed the efforts of the Jordanians, the French, the Soviets, or anyone else. However, we have to face the harsh reality that all those initiatives, however well meant, have failed.

[Sir David Steel]

It is right that this House, while supporting the forces to the full, should debate the war and lay down limits to its aims. We have to say yet again that we regard the aim of the war as being limited to the liberation of Kuwait, the restoration of peace and stability there, and the restoration of the country's sovereignty and its government. In that connection, I seek three assurances from the Minister of State. I welcome very much what he had to say about the non-occupation of Iraq. That is very important. In the press a few days ago, there was a report of an American official having talked about preparations for some kind of interim administration in the city of Basra. It is very important that such loose talk be stamped on firmly. The Minister of State did so, and on that score we need ask no more.

The second assurance that I seek concerns the nature of the destruction that inevitably arises from allied raids. Of course, we all understand the need to interrupt transport lines and to attack bridges and power stations. A newspaper article, referring to a very important report issued by Greenpeace, says:

"The war zone is littered with storage tanks filled with chemicals of the petrochemical industry, including benzene, ethylene and hydrochloric acid.

Bombing or land detonation would spill their contents. 'Release of large amounts of these and other toxic substances could cause loss of life both to human and to terrestrial and marine life,' the environmental group said in a report published yesterday.

Detonation of phosgene and chlorine gas storage tanks posed a further risk."

I should like an assurance that our forces will be given an instruction that every effort that is reasonable, given the knowledge of these tanks, will be made to avoid any further environmental destruction. I repeat: I accept that, in war, accidents are inevitable.

The third assurance that I seek concerns the much-discussed question of the supposed removal of Saddam Hussein himself. No doubt we all agree that that is an end devoutly to be wished. The dancing in the streets of Baghdad the other day following the false reports that he was prepared to leave Kuwait showed that it is something devoutly to be wished by most Iraqi people, too. Those television pictures depicted a very significant interlude. However, it is not for the allied forces to say who should rule Iraq. That has nothing to do with the United Nations resolutions. Were we to try to dictate who should rule Kuwait—were we to try to extend the war aims to include the removal of any government in Iraq—we should be making the same mistake as Saddam Hussein is making. I hope that the Minister of State will be able to assure us that that is not part of the Government's understanding of the war aims and of Security Council authorisation.

The amendment that we tabled, although it has not been selected, expresses our view very clearly. Since hostilities began, I have often expressed the anxiety that we may win the military war but lose the political war. It is desperately important that loose talk be ended. I think that such talk has come mainly from American sources. We have heard it said that there may have to be a long period of western occupation in the middle east. It should be made clear that the presence of American or British forces there following the war is not part of the Government's objectives. We must ensure that any long-term British presence would be under the direct authority or command of the United Nations and that, when the peace comes, the long-term security of the area and the peace settlement will be implemented and supervised by the United Nations. If we can achieve that, out of this disaster may yet come precisely the sort of authority for the United Nations that many of us have long hoped to see.

5.29 pm

Sir John Stokes (Halesowen and Stourbridge): I think that this is the fourth debate that we have had on the Gulf war. I do not complain about that; indeed, I am glad about it. However, we must bear in mind what has happened in the past. I recall that the turning point of the second world war was the tremendous battle at El Alamein which lasted 11 days. During that time the House was in recess and it was not recalled.

Perhaps on this very solemn occasion I can make a lighter remark. When I first saw that the motion was to be proposed in the name of the Scottish National party, all my historical and Jacobite sentiments began to tingle. I thought that the motion might be some new and startling motion about the restoration of the Stuarts or some other impossible cause. However, I was being far too romantic and imaginative.

When listening to the carefully reasoned and argued speech of the hon. Member for Glasgow, Govan (Mr. Sillars), I thought that he was a little cheese-paring in his attitude to the Government. I believe that the Government's amendment is absolutely right to state that "the aims of British military action are to secure the implementation of the relevant United Nations Security Council's resolution."

That summarises the matter perfectly.

Diplomatic opportunities are sometimes dangerous and disappointing. The Soviet opportunity was largely instigated by Mr. Gorbachev because of his obvious inherent local difficulties. I believe that the Soviet action was being used by Saddam Hussein to try, if possible, to divide the allies and to delay the inevitable advance of the coalition armies to repossess Kuwait. We know as a result of the end of the Iraq-Iran war that Saddam Hussein is a past master of deceit and dissimulation. The allied solidarity under the United Nations umbrella has been a remarkable phenomenon, unique since the second world war, and it holds out great hope for world peace in future.

There will be little hope of peace in the region if Saddam is left with a large army, biological and chemical warfare facilities and possibly atomic weapons. The state of Kuwait is now spiritually, morally and physically appalling. It will need to be built up to regain its life as a nation. Saudi Arabia and the Gulf states will also continue to feel threatened unless Saddam's army is defeated. The whole area will therefore continue to experience instability and the allied forces may be compelled to remain there at least for a short time, although I very much hope that that will not be necessary.

Once peace has been secured and safeguarded, the United Nations will be able to concentrate on the other pressing problems in the middle east such as the highly unsatisfactory situation with regard to Israel and the occupied territories about which reference was made most eloquently and clearly by my hon. Friend the Member for Westbury (Sir D. Walters).

I am pleased that the motion refers to the overwhelming support for the British forces in the Gulf. As Kipling once

said in a famous poem, perhaps it takes a war for people remember the debt that we all owe to our armed services. The armed services, from private to general, have been most impressive on television. The people whom we have sent to the Gulf in the Army, Navy and the Royal Air Force are the cream of our nation and the debt that we owe them is immense. They have maintained in their professional service those ideals of chivalry, honour, courage and service to the Queen to which some other professions in this country could well look.

The only thing that dismays me is that the support for our forces, which is widely felt throughout the country, is not entirely shared by some sections of the news media which have now become so terrifyingly and overwhelmingly important. If the news media are not controlled—[HON. MEMBERS: "Oh!"]—they will present a great danger to many facets of life in this nation. If we are not careful, we shall be dominated by what comes out of that television box night after night.

At first the BBC—and later ITV—broadcast many programmes which lasted all day and were often boring and repetitive. Like many of my colleagues, I am worried by the attitude of some of the press people in Baghdad who fail to point out that they are speaking under duress and are showing only what the Iraqis want them to show. As a great admirer of what the BBC once was and of Lord Reith, I say with sadness that the BBC has failed the nation as it failed the nation during the Falklands war. Its lack of patriotism sticks out a mile and I should like to see a thorough investigation of those producers whose loyalties seem in doubt. Those ideas men and very dangerous people seem miles away from the ordinary Englishmen we meet in the streets.

We have now heard that the Soviet initiative has been destroyed as a result of Saddam's recent speech in which he said that he wanted war. Therefore, a final assault on his forces seems inevitable. As I know the country and was a soldier there for some time, I emphasise that we must not assume that our attack will be a walkover. Heavy artillery and large tanks which are well dug in are difficult to neutralise by bombing alone. In the end, the poor old infantry—the men with rifles and bayonets—must go over the top and occupy, seize and hold the ground. We must therefore prepare ourselves for the possibility of heavy losses and high casualties, although I pray that I am wrong. Meanwhile, our duty is to back our forces, the resolution and the United Nations.

5.37 pm

Ms. Clare Short (Birmingham, Ladywood): I am pleased to have the chance to participate in this extremely important debate and to follow some enormously important and constructive speeches about the expansion of the war aims and the post-war settlement. However, I must first tell the hon. Member for Halesowen and Stourbridge (Sir J. Stokes) that, when he criticises the BBC, he undermines democracy in our country. There is no reporting freedom in countries like Iraq. The tide of opinion from the Tory Benches constantly calls for more censorship so that the people of this country cannot learn as much as is necessary about the war that is being prosecuted in their names. That is deeply undemocratic.

Mr. John Marshall (Hendon, South): Will the hon. Lady give way?

Ms. Short: I am sorry, but I cannot give way as time is short. *[Interruption.]* I have a lot to say and I do not want to waste time on trivial interventions.

I want to put before the House my analysis of the grave errors that have been made by the United States Government in their handling of the crisis in Kuwait. I shall do so not only to criticise what has been done in the past—serious though that is, and history will analyse it—but because it seems to me that the way in which the war is being prosecuted has major implications for the post-war settlement in the middle east. The evidence so far is that that settlement is likely to be disastrous and to leave the middle east even more unstable than now. In my judgment, it is unlikely that the Palestinian issue will be settled, although it is desperately urgent that it should be settled. In my judgment, there will inevitably be another war in the middle east in the next 10 years. I remind the House that there have been wars in the middle east in 1956, 1967, 1973, 1982 and now there is a war in 1991. If there is no decent settlement following the war, there will be yet another war.

The background to this conflict and the major cause of the disaster is United States policy in the middle east—*[Interruption.]* Perhaps hon. Members will let me put my views to the House—if they are democrats. It is strange that the United States of America intervened when Britain was involved in a disastrous strategy at the time of Suez and prevented that by making a constructive intervention. Ever since then, however, the United States has seemed to have a short-sighted policy, which has basically been to prop up the state of Israel, to back it in all its intransigence and its gross breaches of international law in terms of its behaviour towards the Palestinians in the occupied territories. The United States has massively subsidised the Israeli state and has given it a mighty war machine. That means that the United States of America has colluded in the confiscation of half the land in the occupied territories—a grave breach of the Geneva convention; colluded in the expulsion of Palestinians from the occupied territories—a grave breach of the Geneva convention; colluded in the detention without trial of nearly half the males who live in the occupied territories—another grave breach of the Geneva convention; and colluded in the horrendous beatings and shootings of men, women and children in the occupied territories, which is also a grave breach of the Geneva convention. Israel has incorporated east Jerusalem into the Israeli state, and also the Golan Heights. That is totally illegal under international law, but the United States of America backs and subsidises Israel and gives it arms.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Tell us why.

Ms. Short: Please allow me to make my speech.

The suffering of the Palestinian people is heartbreaking to all of us who have visited the occupied territories and have seen in hospitals some of the children who have been damaged and beaten since the intifada began. It has also led to enormous distress and to a feeling of humiliation throughout the Arab world. That has led to the attitude in the Arab world that the United States of America is hostile to the Arab world and to the interests of the Palestinians. In the end, it is leading to a great and deep sense of antagonism towards the United States of America

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throughout the middle east. It also means that the Arab powers feel deeply threatened by the mighty war machine of Israel.

Mrs. Dunwoody: Will my hon. Friend give way?

Ms. Short: No, I am sorry.

Mrs. Dunwoody *rose*——

Ms. Short: I am sorry, but I am not giving way—*[Interruption.]*

Madam Deputy Speaker (Miss Betty Boothroyd): Order.

Ms. Short: I should like to give way, Madam Deputy Speaker, but it is obvious from the noise that if I gave way I should not be able to complete my speech. I think that the best thing to do is simply to put my views before the House—if some of the rude Conservative Members, who are hardly honourable, will allow me to do so.

There is an enormous feeling about the Palestinian issue throughout the middle east. There is, therefore, enormous antagonism towards the United States of America because it has backed all the illegality and intransigence of the state of Israel. There is also a feeling of threat and worry about the possibility of future wars because there have been many previous wars. There is therefore a need for Arab states to seek to arm themselves to counter the might of the power of Israel. Thus, western Governments charge into the middle east to sell arms to all the Governments in that region simply to make money, thereby increasing the instability of the middle east and the danger of the constant repetition of war.

Mr. John Marshall: Will the hon. Lady give way?

Ms. Short: No, the hon. Gentleman knows that I will not.

The west and the United States of America have played a major role of complicity in building up the power of the monstrous tyrant, Saddam Hussein. It was convenient for the United States of America when Saddam Hussein invaded Iran. It was the same breach of international law, but because Iran was seen as a threat to United States interests at that time, Saddam Hussein was massively supplied with weapons, equipment and export credits by the west, and by the Soviet Union. However, there is absolutely no question—it is a matter of historical record—that America snuggled up to Saddam Hussein and supported him by providing him with intelligence information when prosecuting that war because that was convenient to America as Iran was seen as the major threat to American interests at that time.

Although our own country officially stopped supplying arms to Iraq following the beginning of that war—a million people died in a war that the west, especially the United States, helped to feed—we allowed the superguns to get into Iraq. That story has not been fully told—*[Interruption.]* If hon. Members look at the evidence, they will see that that was not stopped. This country also supplied export credits after we had ceased to supply arms. After the gassing of the Kurds, the current Foreign Secretary went to see Saddam Hussein, offered him export credits and tried to improve the relationship between Iraq and Britain. Tory Members may well rise now to talk about the gassing of the Kurds, but we heard none of that at the time.

As the hon. Member for Glasgow, Govan (Mr. Sillars) said, we also know that, following the end of the Iran-Iraq war, when there was a dispute between Kuwait and Iraq about whether Iraq had to pay back the loans that had been given to it by Kuwait when helping to prosecute the war, the then United States ambassador gave a signal to Kuwait and to Saddam Hussein that the United States would not object if there was some military action against Kuwait. That is an enormously important issue. History will show exactly what happened, but there is no doubt that that happened and it is another major element in the complicity of the United States of America and the fact that we are now involved in this war.

None the less, the invasion of Kuwait was intolerable and unacceptable. It was a grave breach of international law and must be reversed. The whole world agreed on sanctions. The evidence that the Central Intelligence Agency gave to the committees of Congress in the United States suggested that sanctions were working effectively. Because we have such a weak democracy in this country, we could not dream of asking our intelligence services what they thought about the working of sanctions. That is just one issue that shows the poverty of democracy in Britain.

Not to continue with sanctions for longer was an enormous historical error. We could have dealt with the tyrant Saddam Hussein by using sanctions. If we could have reversed that grave breach of international law by using sanctions in this instance, we could do so in others, and the world would move to a higher level of civilisation. It is shameful and disgraceful that that attempt was not made.

Mr. Quentin Davies (Stamford and Spalding) *rose*——

Ms. Short: No, I shall not give way to the hon. Gentleman.

The question is this: did the United States of America give up on sanctions deliberately because of its strategy in the middle east and because it decided that it had better use the situation in Kuwait to break the power of the Iraqi war machine, or did the United States blunder into war? I am inclined to think that it was incompetence and blunder and that the turning point came when President Bush, who is constantly trying to prove that he is not a wimp, sent out further soldiers. By the time there were votes about sanctions or war, the thing had been decided. The beginning of the end of the sanctions strategy came when the extra forces were sent out in November. I suspect that Bush thought that he could frighten Saddam Hussein out of Kuwait, but when all his troops were there he realised that he would look like a wimp if he did not call a war. That is why we have this monstrous war instead of continuing with sanctions.

Another background point is the deeply worrying situation in the United Nations Security Council. We all respect the United Nations—I have never heard Tory Members have so much respect for the United Nations before—but we must recognise that, with the decline of the power of the Soviet Union, there is no longer a balance in the Security Council to represent the interests of the world.

The United States has been able to manipulate and misuse the United Nations to undermine the latter's authority in the world——

Mr. Tony Banks (Newham, North-West): Will my hon. Friend give way?

Ms. Short: No, I am sorry but I cannot give way to my hon. Friend because I have not given way to any other hon. Member.

Unlike most of my hon. Friends, for whom I have great respect and whose feelings I understand, I felt, once we were at war and had given up on sanctions, that it was not right for me simply to rail against the war. As a politician, I thought that it was our job to ensure that the war was cut short, to minimise casualties and to achieve a just settlement. Therefore, I have taken a rather different perspective from those who simply say that they were against the war from the beginning, although I respect their position.

The gung-ho Conservative Members and our nasty tabloid newspapers, such as *The Sun* and *The Daily Star*, do not care for our troops. Their attitude encourages a bigger war, which means more casualties and more deaths. That is not the best way to care for the interests of our troops. Those of us who wish to contain the war and bring it to an end are doing our best to care for them. That is a more honourable and intelligent attitude.

There is absolutely no doubt that there has been deliberate duplicity on the question of widening the war aims as shown by the evidence produced by the hon. Member for Govan. Once the war had started, it became clear that the United States of America was followed, poodle like, by Britain. Anyone who thinks that Britain has influenced what has happened should realise that Britain has constantly followed what America decided to do. America started to change the objectives of the war. It ceased to talk about the liberation of Kuwait and started to emphasise the part of the Security Council's resolution which dealt with the restoration of international peace and security in the area. That is carte blanche for anything.

I am told that during the arguments on the drawing up of the resolution to authorise "all necessary means", many countries would not vote for a resolution which contained the words "including force"—so the phrase "all necessary means" was used so that America could later interpret it to mean force. At the same time, the section of the resolution dealing with the restoration of international peace and security in the area was slipped in deliberately to allow room for manoeuvre in interpreting it—[HON. MEMBERS: "Who says?"] The researchers who did the work for the Brian Walden programme. [*Laughter.*] Hon. Members may laugh, but it is an enormously well-resourced and respected programme. However, this is a serious analysis, so it will not interest Conservative Members.

We should all like to see Saddam Hussein fall, but the question of how we achieve that is crucial to the post-war settlement. I believe that the nature of the bombardment of Baghdad, with the deliberate destruction of the civilian population's water supplies, sewage systems and access to medical care and electricity, is, in practice, an enlargement of the war aims. Some of the bombardment cannot be justified for military purposes. The Arab world now takes the attitude that the war aims have been widened and that it is now a question of an attack on an Arab country. The Arabs believe that we do not care about the death of Arab children and Arab women, but only about our own casualties. There has been a sweeping change in attitude in the Arab world—from initial hostility to Saddam Hussein's invasion of Kuwait to the belief that America is destroying an Arab country to perpetuate its control of the middle east. That is very dangerous for the post-war settlement. It is a question of winning the war but possibly losing the peace.

There are two possible post-war settlements. I believe that the most likely is the pessimistic settlement. The United States is now determined to destroy Iraq. It is interesting that the United States, again followed poodle-like by Britain, rubbished the Soviet initiative from the beginning.

The briefing from this morning's war Cabinet, as reported in the *Evening Standard*, said:

"There will be no let-up in the war against Saddam Hussein, even if he accepts all the Soviet proposals for peace."

That means that the war aims are wider than the liberation of Kuwait.

If the objective is to destroy Iraq, the likelihood is that America will continue to see its interests protected by propping up the Israeli state and not settling the Palestinian issue. America and Britain will send arms to prop up the Gulf states and maintain a military presence in the Gulf. There will inevitably be another war in the middle east, possibly over Syria, which happens to have switched sides to the coalition, but which could easily switch back again. That is another horrible, tyrannous regime with a mighty war machine.

The second possibility—and one for which we should aim—is to seek the liberation of Kuwait, and only that. We should then seek to remove all non-conventional weapons —nuclear, chemical and biological—from Israel, Syria and Iraq. We should also settle the Palestinian issue by giving the Palestinians their state based on the west bank and Gaza. Since the Palestinians changed their objective, gave up their aspiration to a secular state in the whole of the old Palestine, and simply said that they wanted their own state in the occupied territories, that problem has been resolvable. It is a disgrace that the United States did not respond to that massive shift by the Palestinians, which meant that the old dispute could have been resolved.

The optimistic settlement would be to remove weaponry from the region, to stop selling arms, to settle the Palestinian question and to seek the development of an economic community which would mean that the wealth of the oil states could be properly shared by the people of the middle east. There is enormous resentment in the middle east that the tiny, undemocratic states monopolise the wealth and that it is not shared by all.

We are now on the brink of a war which, so the military experts and the Iraqi soldiers who have surrendered tell us, will inevitably become a chemical war. That would be a horrendous war, not just in terms of our own casualties, but of Iraqi soldier casualties. Hon. Members should realise that many young Iraqi soldiers in Kuwait do not want to be there. I have a friend whose brave family have resisted the tyranny of Saddam Hussein for years and who have been persecuted for it. That family has a son in Kuwait and he is wholly opposed to the Iraqi regime. There are many like him in Kuwait at the end of a barrel of a gun.

If chemicals are used in the war against Israel, heaven knows what the escalation will be. Even if Saddam Hussein agrees to the initiative at this late stage, a ground

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war seems inevitable. The Government are not interested in whether he agrees with the Soviet peace proposal. That is disgraceful. The way in which the war is fought is crucial. Are we to try to slaughter the Iraqis in Kuwait or seek an opportunity for them to surrender? Have we made broadcasts or given them leaflets to assure them that they will be properly treated? Have we looked for routes to get them out through the minefields? Today and yesterday, there have been big demonstrations in Iraq of people calling for the downfall of Saddam Hussein and his regime. We are bombing them; why are we not telling them that our war is not with the Iraqi people and giving them the right to get rid of this tyrant who has oppressed them for so many years?

We have heard about the horrendous treatment of the Kuwaiti people. Saddam Hussein's regime has treated the Iraqi people like that for a long time. One report after another from Amnesty International has shown that he put the children of political opponents in prison to torture them and get the parents to confess. The brutality in Kuwait has been perpetrated on the Iraqi people for a long time. We should deplore it all and not use part of it to justify the bombardment of the Iraqi people who have suffered for so long.

I appeal to the British Government to cease being a poodle. It seems that in our mono-power world—in which the United States is dominant because the Soviet Union is in such a weak position—the possible balancing power is Europe. But Europe is unable to act, even though it has a better understanding than the United States has of the middle east and of the need to settle the Palestinian question. Britain is so attached to the policy of the United States that Europe is disabled and unable to act to balance that policy.

In all seriousness, I know that the Foreign Secretary understands the situation in the middle east very well, but he does not talk as if he did. Even when the European Foreign Ministers met, our Foreign Secretary imposed conditions when it was said that there had to be a settlement of the Palestinian issue. He said, "But the question is, who will we talk to?" It is not for Britain or Israel to say with which Palestinians we shall talk. We should talk to the representatives whom the Palestinian people choose. That is democracy. I ask in all seriousness even at this late hour for the British Government to be wiser about this conflict and not lead us into a dreadful war which could escalate horrendously and resonate for years to come.

Madam Deputy Speaker: I reiterate Mr. Speaker's appeal that hon. Members make short speeches, in view of the number of hon. Members who wish to participate in the debate.

5.59 pm

Mr. Andrew Rowe (Mid-Kent): I am interested to follow the hon. Member for Birmingham, Ladywood (Ms. Short). As she knows, I have great respect for her honesty and the courage with which she expresses views which are frequently wrong, but nevertheless sincerely held.

I wish to comment on some of the hon. Lady's remarks before making my brief speech. First, the hon. Lady and several of her right hon. and hon. Friends have a paranoia about the United States which I find depressing. One must remember that the reason why it is possible even to consider Europe as a counterweight to the United States or, indeed, the Soviet Union is that the United States gave so much money and time, and suffered bloodshed, to assist the Europeans to rebuild their economies after the war, which the Americans helped us to win, and to remain steadfastly in Europe at considerable cost to themselves right up till now, when the Soviet empire is crumbling and change has been brought about there as a direct consequence of the support that the Americans have given.

In many parts of the world the Americans have been extremely supportive of democracy. Of course, all great powers and all small powers make mistakes from time to time. The Americans have taken action at times which I would find difficult to support. Certainly, with hindsight, many Americans regret those actions. But we are free to discuss whether the Americans are or are not appropriate allies only because of the steadfastness of America in the past.

I wholly agree with the hon. Member for Ladywood that it would have been lovely if sanctions could have been made to work. If they could have been made to work, sanctions would have been by far the cheapest, least bloody and most effective way of cutting off the Iraqi aggression. If ever there were a sign that sanctions could not work, it must have been the extraordinary spectacle in Baghdad. The Iraqis have virtually no petrol and it is said that they have little water or food, yet Saddam Hussein has no intention of allowing them to deflect them from his purpose. So I fear that sanctions would never have worked and would not have worked within a timescale that we could conceivably have supported.

The hon. Lady made some comments about the war aims. As my hon. and learned Friend the Minister of State, Foreign and Commonwealth Office said so well, it is remarkable that the war aims have changed so little. After all, many things have changed during the war, not least the fact that the Iraqi ambassador has consistently sought to make out that Israel is a party to the war when manifestly it is nothing of the sort. It is astounding that we have stuck to the war aims, as defined by the United Nations, so steadfastly, instead of shifting in some Machiavellian way, as the hon. Member for Glasgow, Govan (Mr. Sillars) and the hon. Member for Ladywood maintained that we have done.

I have an extraordinary admiration for the British forces and the allied forces as a whole. It is remarkable that they have meshed together so effectively. At the beginning of the war anyone who thought that a coalition of such diverse partners could fight together with such skill would have been thought to be a dreamer. I congratulate the commanders of the allied forces on the way in which they have made the war machine work.

There has never been a war in which an army has been so constrained or so conscientious. The idea that young men should fly aeroplanes at over 600 mph through anti-aircraft fire a short distance from the ground seeking targets that would be approved even by Greenpeace seems ludicrous. Yet that is what they have done night after night, with an astounding degree of success. Of course, they made errors from time to time. They blew up a bunker which turned out to be a shelter, although our intelligence believed that it was a command post. That is very sad and deeply to be regretted, but it is an extraordinary achievement that the allies have kept so well to military targets.

As I said in an earlier intervention, the latest reports from refugees and others leaving Iraq are that the allies have destroyed military targets and civilian targets next door have remained extraordinarily undamaged. I congratulate the allies on that.

What is more, there has never been a war which has been so meticulously and overwhelmingly covered by the media. The whole world can see day in and day out photographs of what we have done and of what we are alleged to have done. The only thing that is lacking is coverage from within Kuwait. That gives a strangely unbalanced view of what this war is about. I do not altogether blame the media for that, but it must be constantly borne in mind by those of us who watch our television screens that we are seeing only two thirds of the picture and that the third which matters—Kuwait—is never shown because Saddam Hussein would never dream of letting it be shown.

I admire enormously—and how lucky we are to be able to admire—the dignity, courage and loyalty of our armed service families. Like almost every Member of the House, I have a Gulf family support group working in my constituency. It is made up mostly, but by no means entirely, of women. Parents and wives manage somehow to give each other support, sustain their loved ones in the field and not to complain about very much. The sort of complaints that we hear are that the post office has run out of blueys. That is an important complaint, but it does not undermine the war effort. Families realise that their loved ones have joined up to serve the political purposes of a democracy and, however frightened and anxious they are, they are very proud of what is being done. I support and admire them hugely. It is always a privilege to meet them.

As many hon. Members have said, when the war is won, we shall have to address directly the question of arms supplies. It is not an easy question. Our friends in the Gulf will instantly ask for all the amazing equipment which they have seen in such effective action. It will be enormously difficult for us, when countries can afford to buy them, to refuse to supply the latest weapons to protect those countries. There will be powerful arguments that if we arm our friends we will create stability in the Gulf.

Some of the allies in this great fight are allies only for a short while because it serves their present purposes. We must look carefully at how we re-supply the armed forces of the countries in those areas. That will not be easy. Many employees of arms companies are represented by hon. Members. For example, Opposition Members have complained, for sound reasons, about the closing of military bases in Scotland. Nevertheless, when it comes to the crunch, if we do not supply the arms, another country will be only too ready to do so. Such matters must be dealt with on a much wider basis than simply a single nation trying to achieve a commercial advantage in the short term.

We must remember that, for centuries, it has been common for countries with an advanced military capacity to sell off their second-hand, less good or obsolescent goods to other countries. But those goods are now capable of creating such damage that it is intolerable to continue selling them.

6.10 pm

Mr. Norman Hogg (Cumbernauld and Kilsyth): The hon. Member for Mid-Kent (Mr. Rowe) will forgive me if, in the interests of time, I do not pick up any of his remarks. I am grateful to have the opportunity to contribute to this important debate.

In the 12 years that I have served in Parliament, the Gulf war and all that it entails is by far the most serious issue that I have had to consider. Like every other hon. Member, I have had to give much thought to the issues and implications of our decisions. I concluded that there was no course other than to support the United Nations and the actions necessary to secure the implementation of United Nations Security Council resolutions 660 and 678.

The war was not sought by this or any other nation, but is a direct consequence of Iraq's refusal to accept the rule of international law as expressed by the United Nations. The world community was and is in no doubt about what is required to achieve peace and stability in the middle east. Iraq must unconditionally remove its forces from Kuwait. The war would never have taken place had not Saddam Hussein invaded Kuwait on 2 August. His action would not have resulted in this tragic war if, after that event and before 16 January, he had withdrawn from Kuwait.

The United Nations has never in its history spoken with such unequivocal authority on any international crisis—120 member states supported the resolutions and 28 are currently engaged in military action.

One of my constituents, critical of my support for the United Nations and the coalition forces, said that the war was "imperialistic and materialistic". In one sense, he is completely wrong but in another he is completely right.

Mr. Corbyn: Completely right.

Mr. Hogg: As my hon. Friend said, my constituent was completely right.

Saddam Hussein invaded Kuwait because of oil. He aimed to secure control of more than 65 per cent. of the world's oil reserves. He wanted to control oil prices and the rate of oil extraction. If that is not imperialistic and materialistic, I do not know what is. The consequences of Saddam Hussein's action, had he succeeded, would have been extremely detrimental to the interests of the world community and not least to the working people of this country.

I respect the view of those who say that they cannot support the United Nations and the coalition forces. I agree with the argument expressed by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) to the House on 11 December that the achievement of UN objectives by comprehensive sanctions would be a notable success for sanctions and would strengthen them as an effective international instrument for use in other contexts. But if, in the end, force was necessary, force it would have to be.

Like all my colleagues, I wanted sanctions to work and should have preferred longer time to allow sanctions, the blockade and military readiness to have the maximum effect. In the event, force was used and the Labour party stands by the British troops and the coalition force.

As the war proceeds and sanctions remain in place, it becomes increasingly apparent that sanctions would have taken a very long time to be effective. One wonders whether Saddam would ever have capitulated to such action, even if Iraqi children had been starving on the

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streets of Baghdad. I have never viewed sanctions as a soft option. Their consequences could be devastating for the nation and people against whom they are directed.

The Scottish National party introduced this debate and I refer to Scotland in the context of the war. I believe that the people of Scotland support the stand that has been taken in support of the United Nations. All the evidence from polls points to that conclusion, as do my soundings in my district. Scots are essentially internationalists in their outlook. They readily work abroad—indeed, the hon. Member for Glasgow, Govan (Mr. Sillars) worked in the district that is now caught up in the conflict.

Many Scots work for international and multinational companies and understand the international dimension of economic life. The same is true of Scottish academic life and the arts. "Scotland in Europe" is a good slogan, if for no other reason than that it taps into the Scots' internationalist outlook. Because of their internationalism, the Scottish people support the United Nations and the coalition forces.

Naturally, there is a body of influential opinion opposed to the war. Although I respect that stand, it cannot be presented as reflecting Scottish opinion. The System Three opinion poll in the *Glasgow Herald* showed that 77 per cent. of Scots supported military action in the Gulf, while only 13 per cent. opposed it. It showed that war support was stronger among Scottish Nationalists, at 76 per cent., than among Labour supporters—74 per cent. Liberal Democrats registered, marginally, the least support at 21 per cent.

I do not doubt for a moment that the coalition forces will win the war if it is prosecuted to a conclusion. Saddam has a formidable army and war machine, which is said to be the fourth largest in the world. I recognise that such a force could be matched only by a coalition consisting of United States, European and Arab nations, and I appreciate the tensions that such a multinational force presents to the Arab people of the middle east. It means that, when the hostilities are over, tackling the peace will require great commitment and determination, just as was required to prosecute the war.

I hope that, even in the circumstances that are developing tonight, diplomatic activity will secure the unconditional withdrawal of Iraq from Kuwait. However, whether by diplomacy or force, we must deal with peace once the conflict is over. It would be naive to believe that the settlement of the Palestinian problem will mean an end to instability in the region. Justice demands that that issue must be dealt with as a matter of urgency, but that will not, of itself, resolve all the problems of the region. There must be a Palestinian homeland and self-determination, although it will be difficult to decide what those boundaries should be and what will be required of other nations in the region. At the same time, Israel's right to exist within secure boundaries must be established and guaranteed by international treaty. That, in itself, will not solve all the outstanding problems caused by the Arab-Israeli conflict. Boundaries, the economic viability of a new Palestine and the issue of Jerusalem must all be considered—the difficulties are formidable.

What I am struggling to say was best summed up in an article in *The Economist* published last week, which states:

"The Gulf episode has killed the fashionable pre-war idea that Israel would have nothing to fear from its Arab neighbours if only it made peace with the Palestinians. Peace with the Palestinians is a necessary condition for a stable Middle East, not a sufficient one. True stability will have to wait until democracy reaches the Arab world, so that despots no longer prop themselves up by telling their people that the road to Jerusalem, and to paradise, runs through their neighbour's country."

There are mighty forces at work that militate against the stability of the middle east. The absence of any sort of democratic tradition, with Governments run either by military regimes or hereditary rulers, hardly bodes well. It seems unlikely that such Governments can establish stability or accept a limitation on arms. Nothing that has happened in the post-second world war period suggests that such a policy is likely to commend itself. Oil riches will continue to be spent on arms—at least in some of the nations—as a first priority, with social and economic development coming a poor second. We must also recognise that nationalism remains a potent force in the region. Taken with the continuing Islamic revival and its expression in political terms, there exist sufficient ingredients in the cauldron to cause great problems in the future.

This country will be a major player in the settlement that will have to flow from the present conflict, but we cannot continue to be involved. We have already had more than our share of involvement in the middle east and, some would say, there are issues and problems that we created in our previous role. A return to stability and lasting peace must initially come from the nations of the region, in conjunction with the United Nations.

No one dealing with those problems can fail to appreciate the huge difficulties facing the United Nations in the aftermath of the war. Establishing a peace with justice will not be easy. We cannot have repeats of these terrible events, and the responsibility on our Government, the Governments of the coalition countries and the United Nations is greater than has been presented by any other world crisis since the second world war. The British people know those difficulties and understand that they must be faced. I believe that they are right to have placed their faith in the United Nations as the only mechanism to establish and build peace.

6.25 pm

Mr. Bill Walker (Tayside, North): I shall be brief because I know that other hon. Members want to speak.

I believe that the hon. Member for Glasgow, Govan (Mr. Sillars) said that anything he had to say would not diminish the Scottish National party's support for troops in the Gulf. He referred to his own extensive knowledge of the Gulf area, particularly Iraq and Kuwait. He attempted to occupy the moral high ground by casting doubt on the integrity of President Bush, the Prime Minister and the Government with regard to the aims of the United Nations forces in the Gulf.

As I read it, the SNP motion calls for an end to the conflict compatible with the United Nations resolution 660, but ignores the other 11 resolutions. The hon. Gentleman read out the other resolutions, but they do not appear in the motion.

A letter was published in the *Glasgow Herald* on Friday 1 February headed,

"Scots troops in the Gulf".

It stated:

"Sir,

The more I look at the Gulf war the more I sympathise with the intelligent anti-war attitude expressed by our partners in Europe and marvel at the arrogance of a UK Government which, under the unbalanced leadership of Margaret Thatcher rushed to commit Scottish, English and Welsh lives at the crack of the American whip and now whines after European financial support. Of course Kuwait deserves help even though only 7 per cent. of the people had a vote and the parliament had been dissolved by feudal rulers.

But why only Kuwait? What about the Kurds? Or the Baltic States? Or indeed the many other nations, including our own"—

that is, Scotland's—

"seeking independence from a cynical and callous world?

I am especially concerned about the undue sacrifice expected from Scottish servicemen. According to your own correspondent, Ian Bruce, Scottish troops will form 40 per cent. of the ground assault forces. I find this figure hard to believe but, if it is only half true, then the British Army will have carried out a betrayal of Scotland equalled only in recent times by the abandonment of the 51st Highland Division at Dunkirk."

That spells out more clearly than anything else could the problems of the SNP.

The letter suggests that the British Government—or the English Government, as the SNP would put it—colluded with Hitler to ensure that his Panzers broke through the Maginot line in such a manner as to leave the Jocks stranded many miles from Dunkirk. Two members of my close family did not return from St. Valery, so I take a personal interest in these matters. There is no doubt that what has been said is a distortion of the facts. The Jocks, as always, fought gallantly, but not effectively due to weapon systems that were inadequate to deal with Hitler's Panzers. I am pleased that the Jocks in the Gulf today have the best equipment available to soldiers in the field. We should be proud of that.

A former SNP councillor, Flora Isles, said that the SNP had different policies for parts of different parts of Scotland, for different people, and no policies. That sums up the SNP's position, which has been clearly exposed tonight. The hon. Member for Govan never considered properly the fact that political control should never be extended to tactical battle decisions, which must be taken by the military commanders on the spot in the Gulf. I speak with some emotion because, as a young service man, I served in the middle east when stupid political decisions cost the lives of colleagues, and I vowed that, if I had anything to do with it, it would never happen again.

The hon. Member for Govan drew attention to the Iraqi troops near the Turkish border. Although badly mauled, the Iraqi military is still a powerful military force, capable of doing immense damage to the United Nations forces. That is why the Government are right to say, as did the Minister of State, that if there is to be a peace and ceasefire, it must include assurances on the return of prisoners of war. We do not even know whether our aircrew are prisoners because we have not been told.

Experience in the Gulf, possible United Nations demands in future and instability in the Soviet Union must mean—I hope that my hon. Friend the Minister of State for the Armed Forces is listening—that "Options for Change" will, in time, become options not for less defence expenditure but more expenditure on different weapons systems. When service personnel risk their lives in the Gulf as they are doing today, it is not the time for any of us publicly to consider or talk about possible closures of their home bases or the disbanding of their regiments.

The Scots, as always, have contributed more than their fair share to the needs of this nation at a time of distress, and they will continue to do so. As the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) said, if the Opposition say otherwise, they will not be reflecting the attitudes and views in Scotland.

6.30 pm

Mr. Jimmy Wray (Glasgow, Provan): It is sad to think that we are today trying to decide whether to send our troops into Iraq. I do not know to whom some Scottish hon. Members speak about these issues, but when I speak to my constituents I get a very different picture indeed.

I do not know who wants this war. I am a great believer in the saying that there is a time for living and a time for dying. I fear that Her Majesty's Government have chosen a time for dying, not for themselves but for our troops in the middle east.

I cannot understand the hypocrisy of the Minister when he talks about the Iraqis firing Scud missiles. Let us not forget that they have been bombed every minute since the war started. Thousands of tonnes of bombs have been dropped on them, killing men, women and children. Does any hon. Member really believe in the so-called surgical instrument, the cruise missile, that, we are told, can go in and out of letter boxes? It was disgusting to see on television a general describing precisely how a cruise missile carrying 600 lbs of explosive could go down a vent shaft, where it probably annihilated hundreds of men and women working in a Ministry of Defence office in Iraq.

I did not become a Member of this place to authorise the firing of cruise missiles or the dropping of aged bombs —chemical, biological or any other type—on people. And when people talk about Saddam Hussein having stockpiles of arms, let us ask who supplied him with those arms. One can look down the list of Conservative Members who have been freeloading, running back and forth to Iraq, all their journeys paid for, but who now talk about this bad man, Saddam Hussein.

When we think of the great United Nations and its Security Council, we have to think of the shower of wimps who comprise them. Those who say that our endeavours are on behalf of implementing United Nations resolutions are talking through their hats. The Americans have created this war, and let us not forget the petition that was signed by 42 million Americans.

I am worried about the Scottish troops, some of them aged only 17. Although they are not yet of an age to vote or buy a drink in a public house, they are out in the Gulf battling. We should get some of the brats out of Oxford and Cambridge and put them in the front line. The hon. Member for Halesowen and Stourbridge (Sir J. Stokes) said, "We are proud of them, the cream of the nation." I assure him that many on the Opposition Benches do not think a lot of the so-called cream of the nation. We remember them from the last world war. We are talking about people who are in need of bread and butter and others who have been denied heating allowances.

While our troops are out there fighting for the nation, what is being done here on their behalf by the Government? Ministers are hounding their mothers and fathers to pay the poll tax, even to the extreme of barbaric warrant sales. Those are the sort of people in the Government with whom we are having to deal.

[Mr. Jimmy Wray]

I am extremely worried about the way in which people, especially the Americans, are talking about human life. People talk about other human beings as though they were talking about turkeys. When the matter was raised in Congress, it was suggested that the losses might amount to 900 tanks, 600 aircraft, 63,000 human beings and 319,000 injured. That was the estimate of losses if the war lasted six months. The cost of the war, we are told, is $500 million a day. I believe that Britain does not have that much in the pot, possibly £3 billion. It is costing our country £4 million a day. Not long ago the Minister was going cap in hand begging for more money to carry on the war.

Who are the peacemakers in this affair? I suggest that nobody fills that role. Indeed, I do not think Mr. Bush wants peace. He did not give sanctions a chance and he did not listen to the CIA. I do not believe that our Prime Minister is a wimp. Nor is Bush a wimp because, let us not forget, he was in charge of the CIA. We must also ask who gave the order for the invasion of Panama and Grenada and who arranged for the funding of the Contras and the killing of the Nicaraguans. Bush did all of that.

Our Prime Minister has not been in his present office for long, but in the streets of Scotland he is known as the butcher of 10 Downing street—*[Interruption.]*—and other names that I do not care to mention. He is hanging on to the coat tails of Mr. Bush. No United Nations or Security Council body has a say over when the war in the Gulf will stop. Bush has already got it all cut and dried.

We need to study British history to see where the truth lies. Whether or not people like it, finding a solution to the crisis in the middle east lies in a study of the history of British, European and United States interference in the area over the years. After the first world war, the Mesopotamian region, which was part of the Ottoman empire, though historically a remnant of the Assyrian empire, was divided by the British into two nations, Iraq and Kuwait, which were geopolitical inventions of Europeans trying to pursue economic and political gains.

The Kurdish people were slaughtered by Saddam Hussein, but those who supplied him with the weapons to do that were every bit as bad. In that respect, we are just as guilty as the Russians, the French and the Italians. We built up this turkey and now we are being asked to vote for its killing. I do not want to be any part of that killing.

I get worried when the Minister casually says, "We fear that we shall have to open up the hospitals that have been closed." We are told that 7,500 beds will be needed in Scotland and that 500 beds a day will be needed for casualties as a result of hostilities thousands of miles away. This is a capitalist war, not a war about principle—*[Interruption.]* It is about oil, and those who argue that it is about principle must explain why the hell it has taken 23 years to implement resolutions 242 and 238. What is the difference between implementing resolution 242 and resolution 678?

Do those who claim, as the Minister does, that we shall return Iraq to the Iraqis and Kuwait to the Kuwaitis believe that we are talking, in the latter case, about a democratic empire when in reality it is the family possession of the al-Sabah family? I doubt whether the borders about which the Minister spoke will be left intact at the end of this war. The area has been bombed to bits. The Iraqis say that there will be an enormous holy war, a war that every hon. Member here will regret.

My party, the Scottish Labour party, is comprised of international socialists. We have brothers and sisters everywhere—in Iraq, Iran and everywhere else—and we all want peace. We want to save lives, not lose them.

The way in which the media have covered the war has been disgraceful. We see "Captain Adie" and others in uniform running all over the place. Newspapers use terms such as "the bastards of Saddam" and other gung-ho stuff. We belong to a peaceful nation and I am a member of a party that believes in peace. We respect the sanctity of human life.

I am ashamed and disgraced when I hear people asking our troops to run through the sand with rifles and tanks, firing at other human beings who are terrified for their lives. Iraqi troops are surrendering like confetti. About 500 of them surrendered because four helicopters flew over dropping bombs on them. Is that the sort of thing that the Government want? We have suffered not only in this war but in past wars because of decisions taken by the Government's forefathers, and we do not want to suffer any more. The only way for any hon. Member with sincerity and compassion to help the troops is to get them home. To hell with Saddam Hussein and the rest of them: let them get on with it.

6.40 pm

Mrs. Margaret Ewing (Moray): The number of hon. Members who have participated in the debate and the many others who had hoped to participate show that the Scottish National party has rendered a great service by enabling hon. Members to debate this vital issue. We felt that it was right to explore the war aims and to look beyond the war to see how we could achieve a peaceful settlement. I hope to emphasise the key points of our motion.

First, the motion mentions strong support for the troops in the Gulf. Some hon. Members seem to think that the only way to support the troops is to rant and rave and make pacifist speeches. That is not a line that I pursue. The best way to support our troops is to argue the case for diplomatic means to bring our men home as quickly as possible. My constituency contains two key RAF bases that have been involved in the crisis since early August and whose role in the war will be seen to be significant when the history of the war is written. I know about the worries of the families of service men. They ask us to send messages of support but also to do everything possible to avoid mass killings. They all want to see their families safely home, but they recognise the responsibilities of members of the armed forces.

Our motion emphasises the position of the United Nations, whose status and integrity must be upheld. As some hon. Members have said, the United Nations may be an imperfect organisation, but it is all that we have as a facility for reaching peaceful, negotiated decisions. Unfortunately, upholding the authority of the United Nations means recognising that the ultimate sanction must be used when every other possibility has been rejected. If we do not accept that, we relegate the United Nations to an organisation that is no better than the League of Nations, which was so ineffective between the two world wars.

Some hon. Members have asked why other United Nations resolutions have not been implemented. I have great sympathy for that argument because there are many resolutions that we would all like to see implemented. However, in this case the United Nations has said that it is prepared to use the ultimate sanction, and we must support it. I hope that that will lead to the United Nations becoming stronger and more effective internationally so that we can reach more negotiated settlements in future.

The motion concentrates on the issue of the war aims. Irrespective of their stance, hon. Members have been grateful for the Government's substantial clarification of that issue. That in itself makes the motion extremely worth while. Yesterday I received a letter from the Prime Minister referring specifically to the war aims. The letter states:

"It is not for us, nor indeed any outsider, to decide who should rule Iraq. Neither do we seek the destruction, occupation or dismemberment of Iraq."

The Minister of State, in opening the debate, clearly reinforced that view. We welcome that, because there was genuine concern in the House and throughout the country that we were not altogether clear about the exact aims of the war. My hon. Friend the Member for Glasgow, Govan (Mr. Sillars) cited a catalogue of events that seemed to indicate slippage. I am grateful to the Government for clarifying their position.

The motion states

"that no diplomatic opportunity should be lost to bring the present conflict to an end".

The world is holding its breath. Despite Saddam Hussein's belligerent speech today in Baghdad, I understand that negotiations are to occur and that Tariq Aziz has gone to Moscow, where it seems likely that he will continue discussions. Will the Government tell us exactly what the Minister of State meant when he said that there were inadequacies which would make the terms unacceptable? The House has a right to know about those inadequacies, because it seems that this afternoon the European Parliament has supported the Soviet initiative. We are told that there are inadequacies of some sort, but we have no knowledge on which to base a judgment. I hope that in his summing up the Minister of State for the Armed Forces will clarify the matter.

I thank all hon. Members who have participated in the debate. They spoke clearly and frankly about where they stand on this key international issue. Some Conservative Members bayed at us that this was not a Scottish subject. Members of the Scottish National party are the sort of internationalists who were referred to earlier. We have a strong international perspective. SNP Members are elected in the same way as other hon. Members, and we have the right to speak out on issues that we see as issues of great concern. We have done everyone in the House a service.

6.47 pm

The Minister of State for the Armed Forces (Mr. Archie Hamilton): This has been an interesting debate with varied contributions from Opposition Members. The hon. Member for Glasgow, Govan (Mr. Sillars), who opened the debate, said that Saddam Hussein bears the primary responsibility for the war, as I think that we all agree. The hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) said that Saddam Hussein started the war. Since the war started the allies have tried to secure a peaceful solution.

Mr. Corbyn: Will the Minister consider that in the past 10 years the British Government lent £1 billion to the Government of Iraq, sponsored 39 trade missions there, took no action whatever over violations of human rights in Iraq and promoted arms sales at the Baghdad arms fair only a year before the war started? Is this not really a war about oil and about protecting royal families in the region?

Mr. Hamilton: We have heard those arguments from the Opposition many times. We have not sold lethal equipment to Iraq. We have thoroughly maintained that position, although others may not have done so.

The hon. Member for Hamilton (Mr. Robertson) said that he hoped beyond hope that Saddam Hussein would see sense. The House shares that view. I would certainly support any motion that resulted in a peaceful withdrawal of Iraq from Kuwait without the necessity for military action. I very much resent the accusation by the hon. Member for Glasgow, Provan (Mr. Wray), in a noisy speech, that we relish the idea of men being killed and that we thought this would help the Government. That is a very unworthy accusation and I hope that he will take it back. As the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) said, the statement that Saddam Hussein made today probably removed the last hope of a peaceful solution.

Mr. Winnick: Does the Minister agree that virtually no tyrant or aggressor has been given so much opportunity to undo his aggression, five months before the war started and even now, whatever reservations one may have about what Moscow has proposed? He seems to have turned it down. Is not it quite clear that here is a tyrant and aggressor who is determined to stick to the occupation of Kuwait? The hon. Member for Moray (Mrs. Ewing) referred to counter-proposals. We are not interested in counter-proposals. What we are interested in is that he should leave Kuwait—no ifs, no buts and no conditions at all.

Mr. Hamilton: The hon. Gentleman is, of course, absolutely right. We can be quite unequivocal about this. Saddam Hussein has been given every opportunity since last August to withdraw and he has not done so. It does not seem to make any difference how much pressure there is from the international community; he seems to be prepared to ignore it all.

Mr. Salmond: Will the Minister now answer the question asked by my hon. Friend the Member for Moray (Mrs. Ewing)? What aspect of the Soviet initiative do the Government find inadequate in terms of the opening speech that we heard from the Front Bench? What aspects of that initiative would the Government turn down?

Mr. Hamilton: We have already said that the Soviet Union has asked us to keep these proposals secret. It does not want us to reveal what the proposals are, and we are abiding by that request. If we spelt out in detail what our reservations are, we should obviously reveal the original recommendations. The fact is that they do not meet all the United Nations resolutions. Therefore, they are not adequate as they stand.

The right hon. Member for Tweedale, Ettrick and Lauderdale wanted some reassurances. I repeat what my hon. and learned Friend the Minister made clear: the allies do not intend to occupy or govern Iraq or any part of it. Our actions are aimed to achieve the liberation of Kuwait.

[Mr. Hamilton]

The right hon. Gentleman was concerned about the Greenpeace report on the environmental consequences of attacks on chemical and biological tanks and so forth. We do as much research as possible into sites that are to be attacked, and we are careful to ensure that the collateral damage is kept to an absolute minimum. As my hon. and learned Friend acknowledged, no one can guarantee that bombs will not go astray. I am afraid that occasionally they do. It is always much better if wars do not start and if peaceful solutions are found.

We do not have to look any further than Iraq to see a civilian population which is held in complete disdain. Iraq is more than happy to send Scud missiles to kill people in Israel and in Saudi Arabia. Any environmental concern seems to be pretty minimal when one considers the wilful pollution of Gulf waters with oil slicks.

The right hon. Gentleman also asked about the removal of Saddam Hussein. As my hon. and learned Friend made clear, we would in no way grieve if Saddam Hussein were deposed. It would be a very satisfactory solution, but it is not one of our aims to remove him. The selection of a leader for Iraq must be for the Iraqi people, not for the allies.

The hon. Member for Birmingham, Ladywood (Ms. Short) talked of the suffering of Palestinian people. I believe, as I think my hon. Friend the Member for Mid-Kent (Mr. Rowe) does, that, in even considering the problems of the Palestinian people in parallel with the quite illegal occupation of Kuwait, she has been drawn into a trap by Saddam Hussein. Saddam Hussein made no reference whatever to the problems of the Palestinian people when he moved into Kuwait. That was only a subsequent argument that he introduced in the face of the condemnation of the international community.

Ms. Short: I completely agree with the hon. Gentleman. Saddam Hussein did not invade Kuwait to help the Palestinian people. What I said was that the unresolved problem of the Palestinians was the reason why the middle east is such an unstable and dangerous region. If we do not resolve it after the war, it will remain unstable.

Mr. Hamilton: There are many different reasons why the middle east is an unstable region; I do not think that the Iran-Iraq war had any bearing on the Palestinian problem either. There are many difficult and different problems in the middle east. The hon. Lady risks over-simplifying the problems if she believes that a solution to the Palestinian issue would end all the problems of the middle east. I do not think that there is anything to support that argument. Again, she argued that we should have continued sanctions. Sanctions continued for five and a half months. How much longer would she have wanted them to go on? Should we have gone on until Ramadan started, or until the weather got so hot that it would have been difficult for our troops to fight? Should we have gone on for so long that the strains on the international consensus began to show, or until it was impossible to rotate our troops, in which case we would have to start withdrawing from the area?

To advocate that we should have waited a bit longer might have meant waiting for so long that Saddam Hussein remained in Kuwait and Kuwait became annexed to Iraq. The hon. Member for Cumbernauld and Kilsyth recognised that we could not go on indefinitely and that action had to be taken.

The conflict has gone well so far for the allies. Allied naval forces have emasculated the Iraqi navy and we are proud of the role that Royal Navy ships have played in the van in this action. We have seen brave actions by Lynx helicopters with Sea Skua missiles. The air battle, which has been more successful than any of us could have dared hope due to the professionalism of our pilots, has now established air supremacy in the area. There have been 3,100 combat sorties by the Royal Air Force. This must be seen in terms of a force multiplier in terms of the aid that it will give to our troops on the ground should the land battle begin.

We can be very encouraged by the action we saw after the town of Khafji was relieved. When large amounts of artillery and the Iraqi armoured forces were massing in the area behind the Kuwaiti border, they were attacked thoroughly by the air forces and serious damage was done to them.

We should also take great heart from the recent helicopter attack carried out by the Americans which resulted in some 450 to 500 Iraqi prisoners of war. If that is their state of morale, we can have every hope that if it comes to a land battle it will be short.

The multi-launch rocket system and the eight-inch M110 self-propelled howitzer have both been fired in anger for the first time. There is no doubt that our troops will fight bravely if they have to. They are grateful for the support that they get from the majority of Members of the House.

As my hon. Friend the Member for Mid-Kent said, the way in which the alliance of our coalition partners has held together through the action is remarkable. Our resolve has never weakened.

Saddam Hussein has promised his people, his poor Iraqi people, the mother of battles. He seems to relish a war that could only kill thousands of his countrymen, destroy his armed forces and lead inevitably to his defeat. If there has to be a ground war, we will fight it and win. I hope that the House will support the Government's amendment.

Question put, That the original words stand part of the Question:—

The House proceeded to a Division——

Mr. Ron Brown (Edinburgh, Leith): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I am eager to listen to the hon. Gentleman's point of order, but he must wear the hat and be seated.

Mr. Brown: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: If the hon. Gentleman gives the hat a firm thump, he will find that it will open. If he then puts the hat on and remains seated, I shall willingly listen to his point of order.

Mr. Brown *(seated and covered):* This is the longest-running pantomime in the west end. But one thing that I do know is that this place only gives certain individuals the right to speak. We are all equal, but some are more equal than others. Many people are losing their lives in the Gulf at the present time and, sadly, many more will do so in the near future, but the House deliberately

ensures that only certain people speak on the matter. Will you, Mr. Deputy Speaker, extend today's debate so that we can speak about the reality of the issues and how to deal with them? There is a socialist answer to the problem.

Mr. Deputy Speaker: Order. The hon. Gentleman should not throw down the hat and be so contemptuous of the proceedings of the House. I hope that in future he will desist from any such behaviour. I am not prepared to listen to his point of order any longer.

The House having divided: Ayes 16, Noes 320.

Division No. 74] **[7.01 pm**

AYES

Ashdown, Rt Hon Paddy
Bellotti, David
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Hughes, Simon *(Southwark)*
Kennedy, Charles
Kirkwood, Archy
Michie, Mrs Ray *(Arg'l & Bute)*
Salmond, Alex
Sillars, Jim
Steel, Rt Hon Sir David
Taylor, Matthew *(Truro)*
Thomas, Dr Dafydd Elis
Wallace, James

Tellers for the Ayes:
Mr. Dick Douglas and
Mr. Andrew Welsh.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't'a)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Maginnis, Ken
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Rhodes James, Robert
Ridsdale, Sir Julian
Roberts, Sir Wyn *(Conwy)*
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony

Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trimble, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'caster)*
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

Question put, That the proposed words be there added:—

The House divided: Ayes 301, Noes 25.

Division No. 75] **[7.14 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bellotti, David
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cartwright, John
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Ewing, Mrs Margaret *(Moray)*
Fallon, Michael
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Freeman, Roger
French, Douglas
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heath, Rt Hon Edward
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lawrence, Ivan
Lee, John *(Pendle)*
Lester, Jim *(Broxtowe)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Maginnis, Ken
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Neale, Sir Gerrard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Rhodes James, Robert
Ridsdale, Sir Julian
Roberts, Sir Wyn *(Conwy)*
Ross, William *(Londonderry E)*
Rowe, Andrew
Ryder, Rt Hon Richard
Salmond, Alex
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sillars, Jim
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas

Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trimble, David
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Welsh, Andrew *(Angus E)*
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. Sackville.

NOES

Abbott, Ms Diane
Barnes, Harry *(Derbyshire NE)*
Benn, Rt Hon Tony
Brown, Ron *(Edinburgh Leith)*
Canavan, Dennis
Clay, Bob
Cohen, Harry
Corbyn, Jeremy
Dalyell, Tam
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Hood, Jimmy
Hughes, John *(Coventry NE)*
Livingstone, Ken
Loyden, Eddie
Madden, Max
Mahon, Mrs Alice
Michie, Bill *(Sheffield Heeley)*
Mullin, Chris
Nellist, Dave
Primarolo, Dawn
Strang, Gavin
Thomas, Dr Dafydd Elis
Wigley, Dafydd
Wray, Jimmy

Tellers for the Noes:
Mr. Bob Cryer and
Mr. Dennis Skinner.

Question accordingly agreed to.

Mr. Deputy Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House, having overwhelmingly supported the despatch of British forces to the Gulf, welcomes the affirmation by the Government that the aims of British military action are to secure the implementation of the relevant United Nations Security Council Resolutions.

Mr. Tony Benn (Chesterfield): On a point of order, Mr. Deputy Speaker. May I, through you, ask the Leader of the House to make arrangements for a statement to be made tomorrow morning in the event of the land war beginning? Today the Minister made an important statement to the effect that the Soviet proposals were not acceptable. I shall not go into the merits of it, but he said that. Since that statement is being clarified tonight and there is a possibility of the land war beginning, may I ask that a message be sent through you to the Leader of the House to ask for a statement to be made at 9.30 tomorrow morning in that event?

Mr. Deputy Speaker (Mr. Harold Walker): No doubt the right hon. Member's comments will be conveyed to the Leader of the House.

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Mr. Deputy Speaker. Last week there was an unfortunate set of circumstances, when a most important statement was made by the Iraqi Revolutionary Command Council and the Government appeared to know nothing about it all day. Finally, a Minister was enticed here by points of order. I am sure that you agree that that is a most unsatisfactory way to deal with an important matter.

In the event of a statement not being made at 9.30 am, which is quite possible, may we have an undertaking, through you, from the Government that they will make a statement during tomorrow's proceedings so that we are not reduced to the unsatisfactory system of trying to raise at 2.30 pm points of order on a matter of international importance?

Mr. Deputy Speaker: I hope that the hon. Member recognises that these are not matters for the Chair, but doubtless, as with the comments of the right hon. Member for Chesterfield (Mr. Benn), his remarks will be drawn to the attention of the Leader of the House.

Midland Metro Bill *(By Order)*

Order for consideration, as amended, read.

Question proposed, That the Bill be now considered. *—[The Chairman of Ways and Means.]*

7.26 pm

Mr. David Gilroy Bevan (Birmingham, Yardley): This Bill is promoted by Centro and the West Midlands passenger transport executive and authorises the extension of the network upon which they are embarked in the midlands.

Mr. Terry Davis (Birmingham, Hodge Hill) *rose——*

Mr. Bevan: I have no doubt that the hon. Gentleman will have long enough to speak and so I shall not give way at this stage.

Mr. Davis: On a point of order, Mr. Deputy Speaker. I am sorry to have to raise this matter through you on a point of order. I had hoped that the hon. Gentleman would give way and would allow me to mention this matter to him so that he would have an opportunity to explain something to the House. Since he has refused to give way, I am sorry but I must put the matter to you as a point of order. He will hear what I am saying and he may wish to comment——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I doubt that this is a matter for me. If the hon. Member wishes to dispute some point that is made in an hon. Member's speech, it is not for the Chair to arbitrate or adjudicate. Doubtless the hon. Member will get his opportunity to catch my eye to make his own arguments, including the argument of rebuttal.

Mr. Davis: It is not an argument and it has nothing to do with the content of the Bill. It is a matter of order which I wish to put to you, Mr. Deputy Speaker. I am sorry that I am having to do it in this way, but it will be a point of order for the Chair.

During the debate on the carry-over motion for the Bill, the hon. Member for Birmingham, Yardley (Mr. Bevan) intervened in a speech that I was making and I gave way to him, of course. He admitted to the House that he had visited Grenoble at the expense of Centro, the promoters of the Bill. I wanted to ask the hon. Gentleman to clarify whether he has declared an interest, because overseas visits are supposed to be included in the Register of Members' Interests, and I do not think that that overseas visit has been declared.

The hon. Gentleman has introduced the Bill and has not declared a relevant overseas visit. Subsequently—not on the night that he introduced the Bill—he told the House that he went abroad at the expense of the organisation promoting the Bill. I understand that all overseas visits, other than those paid for by Parliament, should be declared. Other hon. Members have declared similar overseas visits to Grenoble at the expense of the passenger transport authority. As you will see, my hon. Friend the Member for West Bromwich, East (Mr. Snape) wishes to identify that he has declared that very interest. However, I believe that the hon. Gentleman who introduced the Bill has not.

Mr. Deputy Speaker: I apologise to the hon. Gentleman; that seems to be a fair point of order. Hon. Members with a direct interest in matters that are debated in the House should of course declare it, and no doubt the hon. Member for Birmingham, Yardley (Mr. Bevan) will feel obliged to do so during his speech.

Mr. Bevan: As the hon. Member for Hodge Hill is aware, I made a clear declaration to the House that I had visited Grenoble in the middle of last year at Centro's expense. I repeat that now, and it will of course be declared in the register.

Mr. Davis *rose——*

Mr. Bevan: It matters not—if I might be allowed to continue—on what date the declaration is made; it will appear in the register.

Mr. Davis: On a point of order, Mr. Deputy Speaker. I hesitate to say this, but what the hon. Gentleman says is not entirely accurate. He is right in saying that he declared his interest, on 22 October, but that is not the issue in my point of order. I am saying that he introduced a Bill on 5 March 1990, seven months earlier, and, indeed, spoke again, when moving the carry-over motion, without declaring his interest. He finally admitted it during an intervention in a speech of mine.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I will take it if it is on the same subject.

Mr. Skinner: I have two points to make. First, the hon. Member for Birmingham, Yardley (Mr. Bevan) did not declare his interest here at the appropriate time on—according to my hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis)—two separate occasions, although he has done so now. My second point is more serious: the hon. Gentleman did not declare his interest in the register.

Less than two years ago we went through quite a hazardous procedure in the House when the hon. Member for Winchester (Mr. Browne) did not declare what was almost certainly a more substantial interest. The matter went to the appropriate Committee, and the House's time was taken up by the introduction of the necessary measures.

The issue does not relate solely to whether the hon. Gentleman's interest was declared in the House. The register allows hon. Members eight paragraphs in which to declare their interests, which apparently were not filled in this instance.

Mr. Deputy Speaker: Order. Any allegations of non-compliance with our rules relating to registration and declaration of interest should be referred to the Select Committee on Members' Interests.

Mr. Bevan: Of course I made the declaration to which the hon. Member for Hodge Hill refers. Let there be no innuendo suggesting that I am trying to avoid saying clearly, as I said last time we debated the matter in the House, that I have visited Grenoble—for, at the most, one or two nights; I cannot remember precisely. If I have failed to obey the rules to the letter, Mr. Deputy Speaker, I apologise humbly to you now. The position will be corrected at the first possible opportunity, and I will accept whatever suggestion you care to make to enable my interest to be registered in writing, if it was not registered at the time.

Mr. Deputy Speaker: I think that the hon. Member for Birmingham, Hodge Hill (Mr. Davis) expected me to comment on his remarks. I can only repeat that, if hon. Members feel that the rules regarding compliance with the register have not been satisfied, they should refer the matter to the Select Committee on Members' Interests. I hope that hon. Members will now feel that the hon. Member for Birmingham, Yardley (Mr. Bevan) has done the proper thing, and has explained the position adequately.

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Deputy Speaker. As a member of the Select Committee on Members' Interests, I feel that it might help if the Bill's sponsor withdrew it, to avoid any unfortunate implications, and allowed someone else to sponsor it. That would remove any possible taint from the proceedings. It is possible that an hon. Member will complain to the Select Committee, as hon. Members are entitled to do; my hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) may do so himself. Before that, however, it would clarify the position beyond peradventure, as they say, if the hon. Member for Birmingham, Yardley (Mr. Bevan) withdrew his sponsorship of the Bill.

Mr. Deputy Speaker: There is no obligation on the hon. Gentleman to do that.

Mr. Bevan: Thank you, Mr. Deputy Speaker. I will continue to sponsor the Bill as I was asked to do; and I take note of what you have said.

What we have just heard is typical of the attempts that have frequently been made, first by one hon. Member and subsequently by others, to prevent the Bill from completing its stages. In this morning's *Birmingham Post*, the hon. Member for Hodge Hill is reported as having said last night that he would speak at length, and that he hoped that other hon. Members would support him. The writing is not just on the wall, but in the newspaper; the hon. Member for Hodge Hill will persist in his tactics to try to prevent the majority of the citizens of Birmingham and the midlands from securing the Bill's correct passage through the House, under the only procedure that can be afforded to it—which, currently, is the private Bill procedure.

Although many hon. Members may feel that the private Bill procedure is not adequate in all respects, it is the only procedure that is open to the Bill's promoters, Centro, at this stage. Even now, when we have come so far, I hope that democracy will be upheld and that the Bill will be allowed to proceed.

The Bill is partly the consequence of legislation enacted in February 1989. This Bill had its First Reading in March 1990. It went into Committee during June and July of that year, and was referred to an Opposed Private Bill Committee in October. A carry-over motion followed in October and November. Objections were made to the Bill, but only three of the original 35 petitions were referred to the Committee. I pay tribute to the excellent Chairman and members of the Committee for their thorough scrutiny of the Bill over a period of 11 days.

As with the first Bill, this Bill will provide a beautiful form of rapid electric rail transport—fume-free and environment-friendly—which cannot exceed a speed of about 50 mph, and usually travels much more slowly. Wherever possible, disused railway lines and segmented roads are being used. It will join the new railway station at Five Ways, which I was able to bring into existence when I chaired the West Midlands passenger transport authority, to Ashted road in Birmingham by means of an underground link. It will then continue, on the surface, to the national exhibition centre and Birmingham international airport in Solihull. It will measure 26·7 km. The Black Country route, measuring 25 km, will connect Wolverhampton, Sandwell and Dudley, passing through other areas.

Hon. Members will wish to know the capital costs involved. The money will be tied to the provision of public sector transport to bring the area up to the modern standards that obtain in other European countries and elsewhere, and will, I hope, provide us with rolling stock that will be the envy of the world. The cost will be £224 million for the Birmingham-Solihull route, and £139 million for the Black Country route. There will be about £30 million for stock on the routes and nearly £6 million for one of the diversions which the Opposed Private Bill Committee proposed and which has been accepted by the promoters of the Bill. The cost, therefore, is a substantial one, and to it must be added the cost of the land.

The network that will result from the passage of the Bill will play a most important part in reversing the decline in the use of public transport. Although it will not solve all our traffic problems, it will help them a great deal and should postpone for many more years the advent of major new highway proposals which might otherwise be required. It will certainly remove from the road a substantial number of the vehicles that contribute to the present congestion.

Mr. Skinner: A couple of weeks ago we had the Southampton Rapid Transit Bill. It was introduced by a Labour Member rather than a Tory Member. From what I could gather, its purpose was to do some of the things that the hon. Member for Birmingham, Yardley (Mr. Bevan) has mentioned. Certainly public expenditure was involved. I should like to know why the hon. Gentleman was one of those people who came in on a whipped vote, a payroll vote, on private business, and took part in the exercise. A War Cabinet meeting was cancelled to get members of it to come here and vote. Was it because this Bill has been introduced by a Tory Member and the last was introduced by a Labour Member?

Mr. Bevan: In his attempt to delay consideration of the Bill, the hon. Member for Bolsover (Mr. Skinner) is wrong, as he usually is. I did not vote on that Bill, and had the hon. Member bothered to check the voting list before wasting the time of the House he would have found that out. If he were to listen for a change, he would realise that that was a totally different Bill, using a totally different infrastructure which constituted a grave environmental intrusion because it was both high and large by comparison with this slim-line and excellent surplus rail venture. They are totally different. Furthermore, the high-capacity rail vehicles which are envisaged for the Metro will result—he will be pleased to hear this because he is no doubt fascinated by it all—in very low noise along the route, certainly much lower than that of buses, trains and other types of transport.

Mr. James Hill (Southampton, Test): To compare the Southampton Rapid Transit Bill, now defunct, with this excellent Midland Metro is farcical. Not only was the hon. Member for Bolsover (Mr. Skinner) not here for the

[Mr. James Hill]

debate that night—he came in for the vote of course—but he is wrong in trying to compare a railway transport system of three miles with this excellent long-distance Metro transit. Perhaps I shall be able to make my own speech later.

Mr. Deputy Speaker: Not about Southampton.

Mr. Bevan: I am obliged to my hon. Friend the Member for Southampton, Test (Mr. Hill), who knows what an abhorrence that scheme would have been if the Bill had come to pass, and who has come here tonight specifically to demonstrate to everyone in the Chamber his willingness to vote for this Bill. I am delighted to see among those present the hon. Member for Bolsover, even though he was not present for the Southampton Rapid Transit Bill.

This system will be much less obtrusive than the old tramway system and the wires are much less obvious. *[Interruption.]* It is plain that certain hon. Members are attempting to harass the proceedings—not me because they could not do that—and are making as much use as they can of interruptions from a somnolent posture.

Thirty-five petitions were originally deposited against the Bill, of which only three went to the Select Committee. The Committee met on 11 occasions in May and considered all the relevant representations made by the hon. Member for Hodge Hill and his residents, from FORSE, and other objectors.

Mr. Terry Davis: Surely the hon. Member for Birmingham, Yardley (Mr. Bevan) is aware that my constituents were not allowed to present their petition to the Committee. So how could the Committee consider their objections?

Mr. Bevan: Their objections were known on a *locus standi* basis. The hon. Member's constituents did not attend. Those of Forsco did, and re-routing was obtained in the constituency of the hon. Member.

Mr. Davis: The hon. Gentleman is mistaken again. He is being as careless about the facts as he was about declaring his interest. The hon. Gentleman told the House a few moments ago—and fair-minded hon. Members will agree that he said it—that the Committee met on 11 occasions and considered the objections of everybody, including my constituents. That is not correct. I suspect that he has confused a company called Foseco, which is not in my constituency, with a group of residents in my constituency known as FORSE. There is a big difference between FORSE and Foseco. Foseco is a business, and it is correct to say that an amendment to route is coming forward which will benefit Foseco. But that is not in my constituency. The hon. Gentleman is being very careless. I would respect him more if he were more careful in what he said.

Mr. Bevan: The hon. Member for Hodge Hill is correct in saying that the company is Foseco and the site of the deviation, which I had mentioned and which will cost the promoters £6 million, was near the hon. Member's constituency, if not in it. It was understood to be one of the factors which his supporters wanted to be considered.

Mr. Davis: I am hopeful that the passenger transport authority, known as Centro, will at last see sense and will discuss this Bill and the route with me as it would affect my constituents. However, at the moment they have not made any offer which would benefit my constituents in the Bromford estate—and the hon. Gentleman will be fair enough to recognise that throughout our proceedings that is the area that I have talked about and they are the people I have sought to represent.

Mr. Bevan: I am pleased that the hon. Member for Hodge Hill has intervened yet again as it will now be unnecessary for him to develop his arguments at great length, as he has given the press to understand, because presumably he has already said everything that he needs to say.

May I compliment the Select Committee. It received [j 8-9from the promoters a number of undertakings given for the benefit of one of the petitioners. In the case of the other petitioner, the Committee asked the executive to devise a new alignment which did not pass through the petitioner's site. I hope that I have put that correctly.

Mr. David Winnick (Walsall, North) *rose*——

Mr. Deputy Speaker: Order. Before the hon. Gentleman intervenes, let me remind the House that we are debating whether the Bill should be considered. I hope that the debate will proceed along those lines.

Mr. Winnick: Is the hon. Member for Birmingham, Yardley (Mr. Bevan) aware that there is much enthusiasm in my part of the world for this new form of public transport, bearing in mind the extent to which public transport has been undermined during the lifetime of the Government? We have made clear our support for the Metro system, as have the local authorities. But is the hon. Gentleman aware that there continues to be some controversy about the proposed route as it affects my constituency?

Mr. Skinner: Ah, the route.

Mr. Winnick: The route, as my hon. Friend says.

Such difficulties often arise. I am particularly concerned about a small area—I accept that it is a small area—of the memorial park in Willenhall, which, as I reminded the House on 5 March, commemorates those who served in the first world war. It is a great attraction in Willenhall.

Mr. Deputy Speaker: Order. This is supposed to be an intervention. No doubt the hon. Gentleman will seek to catch my eye later if he wishes to make a speech.

Mr. Winnick: Perhaps I may conclude, Mr. Deputy Speaker, by asking the hon. Member for Yardley whether, even at this late stage, the promoters would be willing again to consider the objections to which I have referred.

Mr. Bevan: I am obliged to the hon. Member for Walsall, North (Mr. Winnick) for his reminder about the memorial park, which he mentioned during the debate on the carry-over motion. I cannot give an undertaking now, but I shall certainly see that the matter is referred.

If the Bill is allowed to proceed, many amendments will have to be considered. I hope that that will happen and that the numerous people who support the extension of the public transport system—to whom the hon. Member for Walsall, North referred—will be afforded that opportunity.

7.51 pm

Mr. Peter Snape (West Bromwich, East): The Labour party supports the extension and promotion of this new form of public transport. Those hon. Members who have objections to raise on behalf of their constituents will do so, but as a general principle we favour this modern and updated system, which will be of great benefit to the region.

I have a personal and constituency interest in the matter. Line 1 would run through my constituency and through the constituencies of some of my hon. Friends who are present. I wish to put it on record that, as the Member of Parliament for West Bromwich, East, my view is that, the sooner the line is up and running—to mix my metaphors—the better.

I hope that many of the difficulties that have arisen will be resolved. I suspect that my hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) will wish to catch your eye, Mr. Deputy Speaker. He has left us in no doubt as to the depth of feeling among his constituents about the proposals. I hope that, even at this late stage, the hon. Member for Birmingham, Yardley (Mr. Bevan), on behalf of Centro, will attempt to bring the parties together so that further discussions may take place. I am sure that, with a little give and take on both sides, the problems that my hon. Friend the Member for Hodge Hill has outlined are not insurmountable.

I have never made a secret of my views about the Bromford estate, although I do not profess to know it as intimately as my hon. Friend the Member for Hodge Hill does. I suspect that the fears of some of those on the estate are groundless, but I understand those fears and I think that if they were aired and an attempt made to find a compromise—even at this late stage—it would be more beneficial than the protracted wrangling that has taken place at each and every stage of our proceedings on the Bill so far.

I hope that the hon. Member for Yardley will take that message back to the promoters. He shakes his head. I would not wish to encourage my hon. Friend the Member for Hodge Hill or to put words into his mouth, but it does not strike me as very helpful for the hon. Gentleman merely to shake his head. Surely some attempt ought to be made to bring the parties together. It has been a frequent complaint of my hon. Friend the Member for Hodge Hill that he has had to make all the running. He has been to see Centro on various occasions, but still no satisfactory outcome has been reached.

Mr. Bevan: I have made appointments for the hon. Member for Hodge Hill to see the director of Centro to discuss these matters in depth. I went in person to ensure, if I could, that the discussion terminated in concrete proposals which would satisfy the hon. Gentleman. Regretfully, I concluded after that meeting—and after all the other meetings that have taken place between the hon. Gentleman and varous representatives of Centro—that the hon. Gentleman does not intend any accommodation to be reached.

Mr. Snape: The House will have heard what the hon. Gentleman has to say. Perhaps a new negotiator or arbiter is needed.

Mr. Skinner: How about Tariq Aziz?

Mr. Snape: I suspect that the Iraqi Foreign Minister has more powers in embarking on his missions than the hon. Member for Yardley has.

Mr. Skinner: Do you know him?

Mr. Snape: I know the hon. Member for Yardley, which makes me express that view. Perhaps I may tentatively offer my own services as an arbiter in this matter, because it would be a great pity——

Mr. Rhodri Morgan (Cardiff, West): Will my hon. Friend give way?

Mr. Snape: I am not sure that it is wise, but I give way to my hon. Friend.

Mr. Morgan: I have absolutely no interest in the west midlands economy or its transport system—[HON. MEMBERS: "Oh."]—in the financial or old English sense.

Mr. Skinner: He has not been to Grenoble either.

Mr. Morgan: No. I do not have that type of financial interest either.

The intransigence of the promoters of private Bills is becoming an increasing problem for all of us because they now feel that they do not have to accommodate the view of local Members whose consituents' houses, and so on, are affected. That makes the task of potential negotiators extremely difficult.

Mr. Snape: That may be so. Even though my hon. Friend does not have any great interest in transport matters in the west midlands, I must put it to him that compromises have been reached in respect of other petitioners. It is only the arguments advanced by my hon. Friend the Member for Hodge Hill in respect of one estate —the Bromford estate—which have not yet been settled.

I give my hon. Friend the Member for Hoge Hill the undertaking that I shall try to bring the parties together again. If my hon. Friend wants me to come to the meeting and listen, I shall be delighted to do so. I plead with him not to prevent my constituents and people throughout the west midlands from enjoying the benefits of the system —if and when the Government decide to put up some money. I hope that the Minister will stop equivocating and will cough up some cash. He well knows that we are waiting to put line 1 and the associated works out to tender. Centro has been anxious to get the go-ahead from the Department and has kept officials informed at each stage. It has also done its best to answer any queries. It would not be fair at this stage to blame my hon. Friend the Member for Hodge Hill for any delay. At least 50 per cent. of the cost will have to come from central Government, but so far we have had only elegant phrases. No doubt we shall get another dose of the same in a moment. My concluding advice is this—drop the phrases and cough up the money.

8 pm

The Minister for Public Transport (Mr. Roger Freeman): I congratulate my hon. Friend the Member for Birmingham, Yardley (Mr. Bevan) on his enthusiastic, eloquent, and very determined approach to the Bill. He is to be commended by the whole House for the way in which he presented it.

The hon. Member for West Bromwich, East (Mr. Snape) asked me a specific question about line 1. We are

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here concerned with line 2; the line that runs from Birmingham Snow Hill to Wolverhampton was the subject of a previous Bill. This measure makes provision for other routes which are clearly related to and will be integrated with that one. We have said that the appraisal is under way. Centro and the Department of Transport have jointly set the middle of May as the target for completion of that work. That has been agreed with the chairman of the passenger transport authority. If the appraisal turns out to be satisfactory, and if the agreement of the Treasury is forthcoming, we shall pay development grant in the coming financial year, and then consider the line for capital funding in the year beginning 1 April 1992. I cannot be clearer or fairer than that.

Mr. Terry Davis: I am grateful to the Minister for giving way. He is always most fair.

Is the hon. Gentleman willing, within the next few months—before a decision is taken—to visit the site that has caused so much controversy? Only one section of the two routes is causing any trouble. His hon. Friend the Parliamentary Under-Secretary of State visited Centro a few weeks ago, and was seen on television looking at parts of the system, but he did not come to the part that is controversial. I hope that this Minister will come with me to meet my constituents so that he may understand the strength of feeling. Those people feel neglected by the Government.

Mr. Freeman: The hon. Gentleman probably knows that I visited the Snow Hill—Wolverhampton line several months ago. I saw it from the air and from the ground. I shall be happy to visit the hon. Gentleman's constituency next time I am in Birmingham. This is a private Bill. It is not promoted by the Government, but the Government provide section 56 grant aid and credit approvals for qualifying light rail schemes.

I should like briefly to restate the Government's position on the Bill. It is traditional in the case of private Bills that the Government take a neutral stance, and this Bill is no exception to that rule. That was made clear to the House by my hon. Friend the Member for Enfield, Southgate (Mr. Portillo), who was then Minister for Public Transport, in the Second Reading debate last March.

The Government have considered the content of the Bill and have no objection in principle to this proposed extension of the Midland Metro network. This is one of a number of light rail schemes being brought forward in our major cities. We recognise that, in appropriate circumstances, light rail can have an important role in reducing traffic congestion and in helping to promote urban regeneration. We welcome the efforts that transport planners are making to assess what light rail has to offer. Naturally, as I think the hon. Member for West Bromwich, East would agree, it cannot be the ideal solution in all cases.

The Manchester Metrolink scheme now under construction, with some £50 million of Government cash grant, will be our first modern street-running system of the kind envisaged by this Bill.

It is, of course, for the promoters to persuade Parliament that the powers they are seeking are justified. An Opposed Private Bill Committee of this House has carefully scrutinised the Bill and allowed it to proceed, with amendments. I hope, therefore, that in the conventional way the House will allow the Bill to proceed.

8.6 pm

Mr. Terry Davis (Birmingham, Hodge Hill): I thank my hon. Friend the Member for West Bromwich, East (Mr. Snape) for his kind remarks. He has always taken a very fair and balanced view, and I appreciate that. He has a responsibility to speak for the Opposition on transport in general. As he made clear to the House, he also has a constituency point of view. His constituency is not affected by the route that concerns me, but it is affected by one of the other routes. He has always tried to take an overall view and, as he has made clear in public statements in Birmingham, he believes that local people should be consulted. After all, public transport is the people's transport, and their views must be taken into account. My hon. Friend has always been most willing to listen. I am grateful for his offer to act as some sort of go-between with a view to achieving a compromise, even at this late stage. For reasons that I will explain later, that will be very difficult because of the way in which Centro and the hon. Member for Birmingham, Yardley (Mr. Bevan) have handled the Bill. If my hon. Friend can help to achieve a reasonable settlement of the dispute, I, for one, shall be very grateful.

My hon. Friends the Members for West Bromwich, East, for Walsall, North (Mr. Winnick), for Walsall, South (Mr. George) and, I think, for Wolverhampton, South-East (Mr. Turner) have made it very clear, in public and in private, that they have absolutely no complaint about my efforts to represent my constituents who would be adversely affected by this scheme. They have always made it clear that, even though they differ from me—for reasons that I understand—they respect my right to represent my constituents to the best of my ability. They have no complaint whatever about the tone, content or length of the speeches that I make. They have always made it clear that they would not wish to prevent me from doing my job as a Member of Parliament.

I am grateful to the Minister for his willingness to visit the constituency. That offer has affected my speech tonight, as I had not expected this Minister to take part in the debate. I thought that it would be the Parliamentary Under-Secretary, who recently visited the west midlands in connection with these proposals. As I said, he did not come to my constituency. That was a great pity. I assure this Minister that he will be most welcome. The residents will be grateful for the opportunity to explain why they feel so strongly. He will find that the residents of the estate have not adopted a party political point of view. In that area, this has not been a partisan matter. Indeed, the residents' association was kind enough to distribute a leaflet saying that, in its opinion, neither the local councillors nor I had sought to make political capital or to turn the issue into a partisan one. Of course, the matter will be mentioned during the election campaign. All candidates will then be able to declare their views. The residents' association made it clear that it admired the way in which the matter had been fought. Indeed, it scorned the attempt of a former Liberal, now a Conservative, to make party political capital out of the issue by misrepresenting the views of the local Labour councillors and myself. The

Minister can be assured that his discussions with my constituents will be conducted in a friendly, pleasant, non-partisan atmosphere.

The Bill has been in progress for 18 months. It is unfortunate that, over that time, the hon. Member for Yardley, even though he introduced the Bill, has not come to talk to the residents. I am sure that he has paid a quiet visit. I think that he has even been seen on the estate, but he has not actually talked to my constituents, despite the fact that they invited him more than once. I accept his criticism of last October—that he had been given very short notice. He was not being set up. These are ordinary working people who have to do their jobs during the day and their secretarial work in the evening. I accept that they did not post their letter as quickly as they might have done.

They were not trying to embarrass the hon. Gentleman. That honest invitation was made four months ago, but the hon. Gentleman has still not met my constituents. I can understand why he did not meet them in the few days between receiving a letter and the debate in the House, but we would have appreciated it if he had come to visit us.

Mr. Bevan: The hon. Gentleman seems to be saying that my visit to his constituents would have been significant with regard to the promoter's plans and intentions. Will he confirm that he and his residents' organisation known as FORSE have met the various heads of Centro on several occasions to discuss in detail many matters concerning the route and the Bill? I have minutes of those meetings with me. Does the hon. Gentleman agree that those heads of Centro are the appropriate people with whom his residents should discuss the points of impact? The promoter deals with the route submissions in conjunction with the local authority. Will he confirm that he attended a meeting on 5 February during which many details were discussed with the representatives of his organisation and the heads of Centro? There were many other meetings as well.

Mr. Davis: I hope that I shall be allowed to comment on all those matters. The hon. Gentleman referred to FORSE as my organisation. It is not my organisation. I did not organise or set it up. I do not control or dominate it. It is a genuine residents' group which was formed as a result of the proposals in the Bill. FORSE stands for For Other Routes Save Estates. I should have preferred it to be called the Bromford and Firs residents group, but they wanted a catchy title so they called it FORSE. The hon. Gentleman was being careless: it is not my organisation.

The hon. Member for Yardley was right that the residents' group has attended several meetings with Centro representatives. I was present at all those meetings because I made myself available to my constituents. However, I doubt whether the hon. Gentleman would have those talks as genuine discussions and consultations.

Mr. Bevan *rose*——

Mr. Davis: If the hon. Gentleman will allow me to finish, I will explain why I doubt that. I am giving the hon. Gentlemen credit, but he is rebuffing me and that is typical of all the proceedings on the Bill. If the hon. Gentleman had been present at those discussions, he would not think that my constituents had been treated fairly and that their views had been listened to. However, he was not present; he is relying on the minutes. As I have already pointed out, the hon. Gentleman has not met my constituents. If he had met them, he would understand why they feel as they do.

My hon. Friend the Member for West Bromwich, East will come to my constituency all the way from West Bromwich. The Minister is going to come all the way from Kettering——

Mr. Freeman: No, from Marsham street.

Mr. Davis: That is even further away than Kettering. However, the hon. Member for Yardley will not even come to my constituency from Yardley.

The hon. Member for Yardley was wrong when he said that my constituents met the heads of Centro on 5 February. I know about that because they asked me to attend that meeting and it is a good job that I did so. I can bear witness to what was said. My constituents did not meet the heads of Centro: they did not meet the director-general or the head of public relations who was on holiday. My constituents met some new people whom we had not seen before.

Mr. Bevan: Will the hon. Gentleman give way?

Mr. Davis: I am always anxious to be fair to the hon. Gentleman.

Mr. Bevan: Besides Mr. Hawkins, Mrs. Hawkins and Mr. Poole from FORSE and the hon. Member for Birmingham, Hodge Hill (Mr. Davis), the following people were present at that meeting on 5 February: Mr. Ray Hughes, who is the head of Centro development; John Fallon, who is the press and public relations manager; Rod Dixon, the engineering and design manager; and Janet Kings, the principal planner. Are not they heads? Is it not a fact that the discussions included the offer to resite the football pitch to the other side of the M6, to realign the safety fencing and other issues such as park and ride, environmental impact, the extension of the Heartlands area and the Water Orton line? Many issues about infrastructure were discussed.

Mr. Davis: I do not agree that those people were heads. Mr. Fallon is a very nice man, but he does not head any Centro department. Obviously the hon. Member for Yardley and I disagree on the definition of "head". Mr. Robert J. Tarr is a head because he is the director-general.

The hon. Member for Yardley complained earlier about the length of my speeches, but his interventions and red herrings are delaying the completion of my speech.

At that meeting we did not meet the chairman of the passenger transport authority, any PTA members, the director or even the head of public relations who had arranged the meeting. I am not complaining about that, but the people present were not heads.

I was present at that meeting and I was told by the Centro representatives that we were discussing the environmental impact study. They said that that was what they wanted to talk to us about, not the route. Well, my constituents want to talk about the route. The location of a football pitch or play area is very important, but those issues are not central to the objections to the Metro.

I am always anxious to be fair to the hon. Member for Yardley. He asked me to accompany him to meet Mr. Tarr, who is the director-general of the PTA, which now calls itself Centro. I accompanied the hon. Gentleman willingly, and we met Mr. Tarr and one or two people

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whom I would regard as heads, unlike the people who were present on 5 February. They included the solicitor who was handling the Bill and Mr. Parker, the head of public relations. I told those people that they had not talked properly to my constituents. As a result, Mr. Tarr said that he would arrange for discussions with my constituents about their objections to the route and about the alternative. I am sure that the hon. Member for Yardley will confirm that.

It was agreed that Centro officers would talk to my constituents about the alternative route. However, after those talks my constituents told me that they felt that those discussions had not been, to use their words, genuine. That was their opinion and they can speak for themselves. That opinion was confirmed to me by the PTA chairman who said "We are entrenched." That is the sort of phrase with which we are familiar these days, internationally. He said, "There will not be any rerouting unless Parliament does it." That is what the chairman of the PTA said in my hearing.

The hon. Member for Yardley cannot have it both ways. He cannot claim that there were genuine discussions with my constituents when the chairman, the very head of the organisation, was saying, "We are not going to change anything anyway." My constituents' suspicions were reinforced and confirmed by what the chairman himself said to them in my hearing. I am sorry that the hon. Gentleman did not attend any of those meetings. I did not expect him to, but I am sorry that, having set up those talks in what I believe was a genuine effort to achieve——

Mr. Bevan: Will the hon. Gentleman give way?

Mr. Davis: Yes, but the hon. Gentleman is interrupting me again.

Mr. Bevan: The hon. Gentleman says that he spoke to the chairman of the PTA. It is upon the strategy of the passenger transport authority that Centro's plans have been made. Its directions have been followed by Centro as the promoter of the Bill. The hon. Gentleman spoke to the very head of the organisation, the chairman, who put the views clearly to him. The hon. Gentleman saw someone even greater than the director-general of Centro.

Mr. Davis: That is the point. I am sorry to belabour this issue, but the hon. Gentleman does not seem to have grasped it. The man at the very top—one cannot have more of a head than that——

Mr. Bruce George (Walsall, South): What about a bigger head?

Mr. Davis: I did not want to say that because it could be misconstrued. I do not want to engage in personal attacks on Councillor Bateman, who is not here to answer for himself. He is at the very top of the PTA. In my hearing, he made it clear that all the 11 meetings to which the hon. Member for Yardley has just referred were pointless. That is not the attitude of my hon. Friend the Member for West Bromwich, East. Even the Minister is more flexible than that. At least he is willing to talk to people and to hear what they have to say. The actual words used were, "I have invited you here to have a chat." I shall return later to what people said to the chairman and what he said to them. I do not want to destroy the order of my speech because the hon. Member for Yardley might accuse me of repetition.

As I was saying, the hon. Member for Yardley has not taken the trouble to meet my constituents, and he has been careless. It is a pity that he would not give way to me at the beginning of the debate because, if he had done so, I should have been able to put to him without embarrassing him too greatly the point that I then had to make on a point of order. I was anxious to be fair to him.

After the hon. Gentleman had moved the carry-over motion on 22 October, he admitted that he had received the benefit of an overseas visit at the expense of Centro. I emphasise that that matter arose in an intervention only because the hon. Gentleman challenged me. I pointed out that I paid my own fare to Grenoble. I asked him who had paid his fare and he blurted out that it had been paid by Centro—*[Interruption.]* Well, the record shows it. He blurted out that his fare was paid by Centro, but he had not declared that fact before that evening or on 5 March when he introduced the Bill. He should have done so.

Mr. Morgan: My hon. Friend is getting to the nub of the problem of practices that verge on malpractice in terms of the way in which private Bill promoters get their Bills through the House. They set up a slush fund so that hon. Members who would like to visit a certain place can go there at public expense. It might be somewhere outside the country, in which case the visit should be declared in the Register of Members' Interests. It might be a place where the private Bill's promoters are intending to carry out works. They could invite any one of 650 Members of Parliament to visit that place, to do so repeatedly, and to stay overnight in an hotel. The House will have to address the problem of private Bill promoters and their slush funds at some stage if the private Bill procedure can ever hope to have a proper reputation of propriety. Does my hon. Friend agree?

Mr. Davis: I do not want to follow my hon. Friend down that route, although I have much sympathy with what he says. I do not want to cast any unnecessary aspersions on the PTA and I suspect that you, Mr. Deputy Speaker, would rule me out of order if I began to discuss the general procedure for private Bills. I want to stick to this Bill.

Some hon. Members have declared that they have been abroad at Centro's expense. I have no objection to that. I am not criticising the hon. Member for Yardley for having accepted Centro's offer, although it is a pity that it had to be done through a firm called Ian Greer Associates Ltd., as my hon. Friend the Member for West Bromwich, East confirmed on an earlier occasion. Nevertheless, hon. Members will always be interested in certain private Bills because they may have a passionate interest in that subject or a constituency interest—they need not necessarily be a sponsor—and if they cannot afford to go to, say, Grenoble——

Mr. Deputy Speaker: Order. The hon. Gentleman was right to anticipate that if he pursued his present line the Chair would reproach him. I am reproaching him.

Mr. Davis: I accept your reproach, Mr. Deputy Speaker. I am simply anxious to acquit hon. Members, including the hon. Member for Yardley, of any imputation of dishonesty. I suspect that the hon. Gentleman was

simply careless. However, it was that hon. Gentleman who impugned my honesty in our previous debate when he said in an intervention, "If I were an honest man", meaning me. I think that he regrets that now.

Mr. Bevan: At the moment, unchallenged, there is an imputation of slush fund creation by a public body so that there could be a very necessary visit, I should like the hon. Gentleman categorically to deny that there was a slush fund. However, it was either that slush fund or a different one that enabled the Select Committee on Transport also to visit Grenoble to study the railway which has been used as a model for Midland Metro and is regarded as a state-of-the-art light electric railway. Only the best is wanted in this Bill. Whether we shall eventually get it nobody knows, but there was no slush fund.

Mr. Davis: I thought that when a Select Committee went abroad, the House paid for it.

Mr. Bevan: By a fund.

Mr. Davis: But the hon. Gentleman said that it was paid for by this fund.

Mr. Bevan: By a fund.

Mr. Davis: Yes, of course, by a House of Commons fund.

Mr. Bevan: Is that a slush fund?

Mr. Davis: No, but that is not what we are discussing.

Mr. Bevan: Well, why should this fund be a slush fund?

Mr. Davis: Actually, I did not suggest that there was a slush fund. The hon. Gentleman is very touchy about this. I was simply seeking to defend him. I ask my hon. Friend the Member for Cardiff, West (Mr. Morgan), "Was I or was I not defending the hon. Member for Yardley and the passenger transport authority?"

Mr. Morgan: Yes, defending him.

Mr. Davis: I do not know whether there was a slush fund. All that I know is that the invitation came from a firm with which I will not associate, which is called Ian Greer Associates Ltd.—a public relations firm which has a certain reputation. I shall say no more than that because it cannot defend itself here.

I must advise the hon. Member for Yardley that I tried to be fair to him by suggesting that he had just been careless. He should have included in the Register of Members' Interests, as many other hon. Members did, the fact that he went abroad at somebody else's expense. That is what the rules are and he forgot to do it. That is all.

Mr. Deputy Speaker: Order. I thought that we had cleared up that matter at the commencement of this evening's proceedings. I hope that we shall not go down that road again.

Mr. Davis: I refer to it only because there have been interventions, Mr. Deputy Speaker, including from the hon. Member for Yardley.

I am anxious to get on because the hon. Gentleman also complained that I intended to speak at length. He quoted from *The Birmingham Post*, which asked me, "Are you going to speak at length, Mr. Davis?", to which I replied, "Yes, I shall speak at length and for as long as it takes to put my constituents' point of view." That is only to be expected. My hon. Friends the Members for Wolverhampton, South-East and for Walsall, South recognise that. I must admit that this is taking a lot longer than I had intended. Indeed, I have not yet started my speech properly because the hon. Member for Yardley keeps interrupting to intervene. I said what I said to *The Birmingham Post* quite clearly and I shall, indeed, speak for as long as it takes to put my constituents' point of view. I said then that my hon. Friends have not criticised me for doing that in the past and will not do so on this occasion. I left it at that.

I turn now to why I do not think that the Bill should be considered. In both our previous debates, I have made it clear that my objection is not to the idea of light rail or rapid transit. I do not oppose that concept, nor do I oppose the Midland Metro project. Although the hon. Member for Yardley got carried away in one of his intemperate interventions in our previous debate and suggested that I was not telling the truth—a suggestion that he then retracted—my position throughout has been that, like my constituents, I do not oppose the concept. I emphasise that the residents' group, FORSE, has made it clear, to the dissatisfaction of one or two people who live on the estate, that it does not oppose the concept as such. It has said that rapid transit is a good idea, but has added, "We are not convinced that it has to have disadvantages and costs in personal terms to people living on the estate, if that can be avoided." FORSE has gone on to say, "We are not convinced that that cannot be avoided, so we want to suggest an alternative route."

My hon. Friend the Member for Wolverhampton, South-East said that the Metro system was to link Birmingham with the black country. That is correct and we are not trying to stop that link. I am talking about the route from Birmingham to Solihull, which is in the opposite direction. It goes to the east, from Five Ways to the national exhibition centre in Solihull. That route runs through my constituency and through the Bromford and the adjacent Firs estates. I shall use the name of the former estate as an abbreviation for both. I oppose only that section of the route.

My constituents and the local councillors are not satisfied that the route must take a path through the Bromford estate where people would lose the amenities that they currently have. It may seem trivial to talk about the possible effects on children's play areas, football pitches, cycle tracks, social clubs and the family and sports community centre. People feel very strongly about such things. My constituents are concerned not only about the loss of such amenities, but about the fact that the route runs through the only green area in that part of my constituency. The estate was built in the 1960s when there was, generally speaking, system building and its subsequent problems. The residents have had to deal with damp, central heating and other problems and the council has had to spend a small fortune to repair the defects over the years.

Not far from the estate, there is a motorway and a problem with aircraft from Birmingham airport. Aircraft reach the required height just over the estate before manoeuvring to the right or left, so my constituents are at a disadvantage in many ways. Now, after 25 or 30 years, the estate is beginning to look better. The ribbon of grass —as I call it—between the houses and the motorway is precious to those people. It is used not only to exercise dogs, but for children to play and for informal family

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recreation. I am told that on hot Sunday afternoons, people picnic on the grass between the houses and the motorway. All those amenities are precious because there are so few. The estate was one of the classic cases of the rush in the 1960s to build houses. I do not criticise the local councillors because they built such estates with the best motive in the world. They had to deal with the terrible housing problems in Birmingham and they went for quantity, not quality. They made mistakes, but it is easy to criticise after the event.

Over the years, the council and especially the residents have done much to make the best of what they have. The residents are very upset at the prospect of losing that—not only the people who live in the houses immediately fronting the grass area, but the whole of the estate of several hundred people.

The residents are also concerned about the visual impact of the Metro. People feel passionately about the trees which were planted by local people and which now screen the ugliness of the motorway. Many were planted by children from the local school and, apparently, families know which is their tree and feel that it belongs to them. Although I was rather sceptical about that at first, I was convinced by the people's feelings. It is very much their wood—it is more of a copse than a wood, but it is how they see it that matters. They are depressed at the idea of losing any of those trees. A line of trees was planted to screen the motorway, Fort Dunlop and the derelict industrial area on the other side of the motorway. It can be seen through the arches because the motorway is elevated at that point, but it is now screened by growing trees. They must be 20 years old and they are tremendously important to the people who live in houses immediately adjacent to the motorway. Those houses have big picture windows, so the people are distressed about the visual impact.

When the hon. Member for Yardley spoke for the promoters of the Bill, he said that the Metro system would bring major benefits to the environment. My constituents do not agree. They believe that the section of route that passes by them will detract from their environment and make it worse rather than better. They would naturally prefer, if possible, to make arrangements for the Metro system to be re-routed slightly to reduce or eliminate its visual impact on their homes.

We should bear it in mind that Centro has not yet been able to tell us where it will put the stops on the route. That is important because the stops are rather long, unlike bus stops, and there will be platforms. Centro is also unable to say what the gantries that hold the cable to provide the power will look like, so people are naturally worried. Nobody knows whether they will have a concrete gantry which would be very visible just a few metres away from the living room window. People know that vehicles will pass by every five minutes in each direction. That means, in effect, that vehicles will run past their picture windows every two and a half minutes. That is some picture.

People are concerned not only about the visual impact, but about the noise, which is an extremely important aspect of the environment. People are becoming increasingly concerned about noise levels.

Mr. Cryer: As my hon. Friend knows, I take an interest in the Bill and in the way in which he has followed up his constituents' problems with the correct concern and zeal. The reverse of the argument is that the development of public transport and light railways is a useful asset for any community. Are there routes which would be less intrusive, but which would benefit the community without the consequences that he has outlined so graphically?

Mr. Davis: Yes, is the short answer. There are several alternatives, one of which has been suggested by my constituents. I think that it was rejected too cavalierly with an explanation that I do not accept, but I shall deal with that later. I should be grateful if my hon. Friend the Member for Bradford, South (Mr. Cryer) would stay to hear it.

My constituents are not against public transport and I emphasis that they are not against the Metro as such. They are certainly not against it running from Five Ways in the centre of Birmingham with a stop at the new convention centre, which is about to be opened in the centre of Birmingham, together with hotels. They are not trying to stop the Metro running to the NEC, to Birmingham international airport, or to Birmingham international railway station. They see the logic and know that it would be beneficial to the economy of Birmingham, but they say that the system can be built without causing them any disadvantage. That is a moderate point of view.

Mr. Bevan: If that is the case, perhaps the hon. Gentleman would be kind enough to tell us why he tabled amendments to kill off line 2 completely and to ensure that it could not be constructed.

Mr. Davis: I was saving my remarks for my speech to move the amendment.

Mr. Deputy Speaker (Sir Paul Dean): Order. I am very glad to hear the hon. Gentleman say that because I was thinking the same. We should have a more orderly debate if we got on to the amendments so that he can speak to them.

Mr. Davis: I want to put it on the record that I am not afraid to discuss these matters. It is at your request, Mr. Deputy Speaker, that I shall not answer the point. I am trying to be helpful, but I am having difficulty getting on with my speech, thanks to the hon. Member for Yardley. At the right time, I shall explain why there is nothing inconsistent in what I have said about not opposing the Metro while opposing one section of the route. My amendments were tabled in such a way on the advice of the Clerk to ensure that they were in order. I will leave it at that for the moment.

I was explaining why my constituents feel so concerned about the route proposed in the Bill. Their second concern is noise. The hon. Member for Yardley told the House that the vehicles that will be used will be

"quieter than the 1940s trams or even the Blackpool trams".—[*Official Report*, 5 March 1990; Vol. 168, c. 645.]

That statement leaves a great deal to be desired because those trams were noisy. I can just about remember the 1940s trams and I have seen and been on the Blackpool trams. It is nice to go on them and it is part of going to Blackpool for the Labour party conference. However, I would not want such a tram running as close to my home as the Metro will run to the homes of some of my constituents. The noise of those trams is definitely excessive. The hon. Member for Yardley says that the

noise will not be as bad as that. That is little comfort to those who do not have trams running in front of their homes at present.

The hon. Member for Yardley also said that the noise of the rolling stock will be less intrusive than that of a tram because it will have a "higher frequency". I am not clear whether he meant "frequency" in the sense that it applies to sound or the frequency of vehicles. Trams will run in each direction every five minutes, which means that a vehicle will go past every two and a half minutes. One could say that there will be a constant hum. That will not please people who live in the area.

The hon. Member for Yardley then told the House that, even if people's environment was adversely affected by noise, there would be noise insulation grants. He said on 5 March 1990 that they would be payable under a scheme similar to that in operation for highways. I want to make two points about that. First, the hon. Gentleman admits that there will be noise of a level sufficiently high to merit noise insulation grants. Secondly, those of us who have experience of noise insulation grants in our constituencies will know that the level required to qualify for that grant is high. I hear constant complaints from many of my constituents who believe that they should be entitled to noise insulation grants because of Birmingham airport. That is one of the biggest problems in my constituency. I think that those people should be entitled to grants and that is why I am introducing a private Member's Bill to help not only my constituents, but people all over the country who suffer from such noise.

The existing noise insulation schemes for aircraft and highways are not good enough. The people who live on the Bromford estate have personal experience of noise insulation schemes. Nobody on that estate gets a noise insulation grant for the effect of aircraft that turn just as they reach the estates. However, many people on the estate have obtained noise insulation grants as a result of the motorway. Ten years ago, we had a tremendous problem because we discovered that because of the way in which the scheme had been introduced, people got a noise insulation grant only if the noise from the motorway qualified them for such a grant. There was no allowance for the cumulative effect.

I was not here at the time, so I can say how grateful I was to Ministers in the Labour Government in the 1970s. One of them decided that the old system was wrong and that the grants should take cumulative noise into account. It was decided that families should not be told, "You do not qualify although you have a terrible amount of noise, because the amount of noise from the motorway is not enough, even though, if we took it all together, you would qualify." People had a terrible problem, but they were being told by the council that it could not pay noise insulation grants under the law. A Minister at the Department of Transport took a sensible decision on behalf of my constituents living on the Bromford estate and decided that the scheme should take account of cumulative noise.

However, the change applied only to noise from highways. The issue now is my constituents, who will not qualify for noise insulation grants because of the Metro alone, but who will suffer because the incremental noise —that noise taken with that of local traffic—puts them above the level. They will not get the grant because the single source does not generate enough noise. They also hear noise from the railway, which is not far away. Some people have asked why the Metro does not use some of the disused railway line, which is a valid point. My constituents have had bitter and disappointing experiences with noise insulation schemes. They are nervous about anything that may add to the noise.

I always try to be fair to those with whom I disagree. Councillor Bateman, the chairman of the passenger transport authority, said that he thought that my constituents had a horrendous problem at present without the Metro. Why introduce it? Why make a horrendous situation worse by putting the Metro in front of people's homes?

The hon. Member for Yardley said that the Metro would be "whisper-quiet". He said that the system in Grenoble was "whisper-quiet". That is not the opinion of the environmental services department of Birmingham city council. That department employs people whose objectivity I do not question. I have found them excellent officers who say it the way it is. They have looked at the Metro scheme—they are conscious that the council's policy is to build the Metro—and they say that on their calculations —I stress that they are calculations—118 homes on the Bromford estate would be affected to the extent to which they would qualify for noise insulation grants. One can understand the attitude of my constituents, who say, "My goodness, if 118 homes are going to qualify for noise insulation as a result of the Metro and we know that those noise levels are totally inadequate, what will it mean for those of us who do not qualify for noise insulation?" Naturally, they are nervous about it, and I do not blame them.

I have told my constituents that I have been to Grenoble and that the Metro equivalent there is quieter than some other forms of transport. I readily agree with that, and I am not trying to exaggerate the case or to give my constituents unnecessary cause for alarm. The Metro in Grenoble is called the Tram and it is not "whisper-quiet". It is certainly quieter than other forms of transport. There is no doubt that the Tram has brought about a reduction in noise. The people there live in flats above shops or, in some cases, in blocks where the ground floor does not have any flats. It is not like our system. The ground floors contain garages and other facilities. The people living on the higher floors do not suffer from worse noise because the Tram has replaced existing traffic. That is the big difference.

It is not proposed that the Metro will use a disused railway line. We are not talking about a route that will replace existing traffic on the roads. We are talking about a section of the route that will run through green grassland —an area where the loudest noise at present is from dogs. The road is an estate road and a cul-de-sac. No one goes along it except the residents, the milkman and the postman, who does not usually use a car. No bus goes along, so there is no means of transport to be replaced. The Metro will be additional transport. People say, "We are going to get a high level of noise. We are not like the residents in Grenoble. Having heard your description, Mr. Davis, we can understand why people in Grenoble would say that it was an improvement. It is not an improvement to us. It will be a deterioration. The noise will add to all the other noise and it will go close to our houses." The Metro will go about 10 metres from a block of flats and close to people who already suffer from noise from the motorway. I agree that what has been done in Grenoble is good, but,

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contrary to the constant references by the hon. Member for Yardley to Grenoble, it is not comparable with what will happen on this section of the route.

My constituents also feel aggrieved, angry and upset about the consultation, and they are angry about the way in which they were treated. Some time ago Mr. Tarr, who has already been mentioned, wrote to a local councillor who lives in my constituency but does not represent a ward in it. The councillor was worried about a previous rapid transit proposal. At the time Mr. Tarr was secretary of the passenger transport authority. He still does the same job but his title has changed and he is now director general. When he was secretary of the PTA, he wrote to the councillor, who has passed the letter on to me. Mr. Tarr promised that there would be full consultation before any further schemes which affected my constituency were introduced. That promise was not kept.

Whenever I put it to the passenger transport authority, I am told that it was the job of the city council to consult. My hon. Friend the Member for Wolverhampton, South-East impressed me with his description of the thorough consultation that took place in Wolverhampton. It is important to involve people. As my hon. Friend the Member for West Bromwich, East told my constituents in a letter, people should be involved and should feel that they are being consulted at an early stage. They should feel that their fears are being considered, their points taken into account and their suggestions listened to. They should feel that someone is trying to meet their objections in order to achieve a satisfactory solution without putting the scheme in jeopardy.

The residents' group in my constituency has made it clear from the beginning that its motive was to have its views taken into account. I respect it for that. The residents have made it clear that they did not seek to sabotage the project. They merely wanted their legitimate objections and interests to be taken into account. They felt that there was not consultation until a late stage, and they were right.

In my hearing, the chief executive of Birmingham city council told other Members of Parliament from Birmingham that he would ensure that it was done better next time. He now knows that it cannot be left to Centro. The chief executive was worried about the way in which the people of Birmingham were treated, even if Centro were not. On that occasion, he said to me, "You see, Mr. Davis, we have learned from that experience." I am genuinely glad that no one else in Birmingham will have problems, but I do not see why my constituents should be sacrificed. I do not see why the city council should learn the lesson—the lesson that Centro refused to learn—at the expense of my constituents.

When I talk to the PTA, it shelters behind the city council. When I talk to the chief executive of the city council, he shelters behind Centro and says that it was its job to consult. The only thing that has changed is that at least the chief executive has been big enough to say that, although it was Centro's responsibility, he accepts that it is not good enough and that it must not happen again. He gave a personal promise to Birmingham Members of Parliament that in future there would be proper consultation and he has done so. He is consulting Members of Parliament about future routes which affect Birmingham. I am pleased about that.

Centro did not consult and the city council did not consult my constituents. A decision was taken about the scheme and it was launched here at the House. My hon. Friends and Conservative Members were invited. The hon. Member for Yardley may have sponsored it, but I cannot remember. In a room off Westminster Hall there was a presentation and a major public relations exercise. It was not consultation. It was held to tell us how marvellous the scheme would be.

No one thought of going to the people affected and asking them what they thought of the scheme and whether they had any points to make about it so that their objections could be taken into account at an early stage. It was a fait accompli. They were told, "You can oppose it if you like, but this is what we intend to do. Your Member of Parliament, your councillors and your Members of the European Parliament may oppose it, but we intend to impose it." That was how my constituents saw the way in which they were treated.

Before the Bill was presented to the House, my constituents were told that they had a choice. The route could go down either Bromford drive or through the grassed area next to Chillingholme road, Wanderer walk and Douglas house. My constituents said, "We shall not choose. We know what you are about: you are trying to divide us and rule us. You are trying to set one group of residents against another. You are trying to make us say 'Not in our backyard, impose it on the other lot, not us.'"

My constituents refused to be divided. They could see through it. Many of them are trade unionists who work in industry. They have more savvy than that and they can see a problem when it is coming towards them. They said, "We are going to stand together. We do not see why we should sacrifice our neighbours." The people in Bromford drive said, "We do not see why we should save ourselves at the expense of people in the other road." The people in the other road said exactly the same thing. I was delighted that they stood together throughout. The people in Bromford drive are still worried about the scheme even though they feel safe because the route will not be imposed on them. They feel that the people in the other road have a justified grievance and they are upset at the way in which their neighbours have been treated. But, as I shall explain later, Centro has exploited that position, too.

Centro tried to divide and rule, but it did not work. It gave my constituents a choice between having an arm amputated or a leg amputated. It did not work. My constituents said that they did not want either. They did not think that anyone should have the Metro passing in front of their homes. They suggested an alternative route. I shall return to that in a moment.

I give credit to Centro for undertaking what it called consultation, even though I would not call it that. The hon. Member for Yardley calls it consultation. I have read his remarks to the House carefully. Tonight he did not make a great deal about consultation but previously he has done so. He told the House that in general the project was the subject of widespread consultation several years ago in 1989. He said that 300 videos lasting six minutes each were sent to residents' associations. But they were not sent to residents' associations in my area. He said that videos were sent to community groups. I have not yet met a community group in my constituency which has had the benefit of a video. The hon. Gentleman said that videos were sent to local political parties. I can speak only for the Labour party. Neither at constituency nor branch level has

the Labour party received one of the videos. I do not know where they went, but they did not come to the political party which represents the people who will be affected by the scheme.

The hon. Member for Yardley told the House that 95 presentations were made. He claimed that Centro had consulted through those presentations. Who benefited from those presentations and who and what were the 95 groups? The hon. Gentleman said that they were business groups, chambers of commerce, rotary clubs—there is no rotary club on the Bromford estate—and breakfast clubs. We do not have breakfast clubs in my constituency. He left out supper clubs—we do not have many of those either. He said that presentations were made to local groups and —this is the crunch—Confederation of British Industry groups. No CBI group represents the Bromford estate. The people there live on what they earn in the factories; they are not CBI members.

The hon. Member for Yardley said that there had been 17 exhibitions at conferences and transport events. However, they did not benefit my constituents, who were not consulted. He also said that many leaflets had been distributed on the first route, but he could say only that a much smaller number of leaflets had been distributed on the route that affects my constituents. He said that 14,000 leaflets, of which 10,000 were for the area outside the city centre, had been distributed within 1 km of the proposed route. I know that that is true because I received one through my letterbox, although I do not think that I live within 1 km of the proposed route. However, those leaflets would not have allowed my own residents' group to express an opinion one way or the other because we live too far away to use the Metro.

The hon. Member for Yardley said that council officers and Centro arranged 13 consultation venues attended by 1,400 members of the public, but they were not consultation venues. People came to caravans—I did so myself—and saw part of a video. The set-up was rather like the caravan that was parked at the Palace of Westminster a few months ago in connection with the Royal Society for the Protection of Birds or the Cardiff Bay Barrage Bill.

He said that the exhibition at the Bromford neighbourhood office lasted for three and a half weeks, but its aim was to inform people, not to consult them. He was correct to say that public meetings were organised, and that 239 people attended them. I attended several of them and, at one meeting alone, counted between 300 and 400 people who were all opposed to the scheme, except for a couple of members of the passenger transport authority. I did not identify them then as they might have been subjected to verbal abuse from my constituents, and I shall not identify them now.

The hon. Member for Yardley said that there had been 26 meetings with businesses and business groups. As I have already explained, those would have concerned the route through the Bromford estate.

Mr. Deputy Speaker: Order. I think that, by discussing routes, the hon. Gentleman is going on to the first group of amendments. I am finding it a little difficult to relate what he is now saying about routes to the consideration of the Bill.

Mr. Davis: Thank you for the guidance, Mr. Deputy Speaker. I was simply explaining that my constituents are upset. They oppose the Bill because they were not consulted by its proposers. I shall not go into the details of one route versus another as that is the subject of detailed amendments.

My constituents were not consulted by the organisation that should have consulted them. Centro got off on the wrong foot at an early stage. It would have behaved differently, had it taken advice from my hon. Friend the Member for West Bromwich, East, who sent a letter to my constituents on behalf of the Labour party saying that it believed in full consultation with local people on such matters. Centro's only defence is that the city council supported the route that was proposed after consultation. But it was opposed by every councillor in my constituency —not only Labour councillors but the Conservative one. They all criticised the lack of consultation and time, and the way in which Centro was behaving.

How can we say that the committee procedure is democratic when it all took place in secret? Not even the local councillors representing my constituents were consulted. The locally elected representatives did not even know about it until Members of Parliament were given a presentation in a room off Westminster Hall and I telephoned them to break the news that the city council had been here with Centro to present those routes. That is an incredible story, and it shows that the democratic process has not been properly observed. The die had been cast without councillors having been consulted.

As a result of that lack of consultation, all the local councillors and almost everyone who lives in the district is opposed to that section of the route. A small minority says that it does not want Metro at any price, anywhere. A poll conducted in the area—not by me, the residents' association or local councillors, but by Centro and Birmingham city council—showed that the overwhelming majority of people were opposed to the route. In a secret ballot, 10 per cent. voted for it and 90 per cent. against. The result could not be much more overwhelming. The detailed analysis of those figures was not reported even to the councillors involved in the subsequent stages, who were on those committees. Quite a few of the 10 per cent. who were in favour of it said that they would not use it. So they were in favour of it for other people—to get them off the roads—but not for themselves. Not surprisingly, it was opposed by myself, by the local Labour and Conservative councillors and by the local MEP—in other words, by all the political parties in my constituency.

The hon. Member for Yardley disagreed with me about that when we last debated the matter. He said that he had private information from the prospective Conservative parliamentary candidate to the effect that what I had said was not correct. I can only reply that, in my hearing, the Conservative councillor for the area told his constituents that he agreed with me on this issue—he was careful to say "on this issue"—that he supported me on it, that he agreed with my opposition and with my objections. Not only did he associate himself with those objections, but I believe that he seconded some of our motions on the subject at the meetings in question.

In addition, the Conservative candidate at the latest local elections declared his opposition. He tried to pretend that the local councillors and I had not opposed it, but the local people soon put him right about that.

As a result of the inadequate consultation that took place—it would be an exaggeration to say that there had been a total lack of consultation—the city council decided

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to put the route along one of the two alternatives that it had put forward, so that it would affect the houses in the way that I have described. I have not gone into all the details of the other route involved because it would be unreasonable of me to do so.

My constituents said, "We will not be persuaded in this way. We will not sit back and have the scheme imposed on us. We have looked at it and we are not against the Metro. We do not want to oppose the project and the Bill, but the route should and could be amended in such a way as not to affect any homes." There is no question of our trying to move the route so that it will affect the homes of other people——

Mr. Deputy Speaker: Order. The hon. Member is now anticipating amendments standing in his name that have been selected for debate.

Mr. Davis: I appreciate your point, Mr. Deputy Speaker, and I shall discard that part of my speech.

My constituents say, "We accept not only the concept but the thinking behind it." My constituents are more impressed by the arguments that have been advanced by my hon. Friends than by those of the hon. Member for Yardley. After all, in the debates on the Bill the hon. Member for Yardley talked about the scheme being modern, up to date and necessary to raise the image of the passenger transport area. My constituents are more impressed by the arguments of my hon. Friends about the Metro regenerating derelict industrial areas and providing jobs. None of us wants to stand in the way of that.

When the hon. Member for Yardley concedes that it would make a major contribution to regenerating derelict and economically depressed areas, my constituents say that that is fine, and indeed that sentiment is expressed in the statement that hon. Members have received urging them to consider the Bill. I will not read the whole of that statement, issued on behalf of the promoter, in support of consideration of the Bill as amended in Committee, but it says in paragraph 6:

"It is also expected that the development of the metro network will make a major contribution to the regeneration of derelict or economically depressed areas and bring major benefits in the improvement of the environment."

The first part of that sentence is welcome and endorsed by my constituents. But the estate that I have been describing is not a derelict or economically depressed area—certainly not in that sense, although many people there are unemployed—and it is not a derelict or industrial wasteland.

My constituents agree that the Metro should run through the Heartlands area, as it is called, in the city of Birmingham, as that is an old industrial area. I am sure that were I to ask all the councillors in my constituency about that, they would agree with the desirable aim of regenerating derelict and economically depressed areas.

But that is not what we are discussing. The section of the route with which I am concerned does not come into that category. After the city centre bit of the route, it goes through a derelict industrial area—the scheme is definitely to be welcomed there—but it then proceeds through an ordinary residential area, where it is not to be welcomed.

The promoter's statement says that the system will bring major benefits through the improvement of the environment. My constituents do not accept that and say that it will bring a major—or at least a minor—deterioration in the environment. The statement says that the use of electric power should assist in the reduction of local pollution from exhaust fumes. That is not true because the system will not replace any traffic running through the estate. Part of the statement harks back to another point that I made—that the vehicles intended for the Metro will result in lower noise levels than those experienced from buses and trains. But it will not replace buses and trains on that section of the route. It may replace some buses and trains, but I am not sure that my hon. Friends would want that because that would simply be to substitute one form of public transport for another. I shall return to that. One has to make a value judgment about which form of public transport is best, and I am not convinced that the Metro is superior to buses. I emphasise again that I see advantages in light rail rapid transit systems for getting people quickly to and from the national exhibition centre, but that does not have to be done by imposing extra noise on people who live in the estate that I have described.

For all those reasons, my constituents were unhappy and wanted an alternative route. I shall not describe that in detail now because we may come to it later, although that may be difficult for technical reasons that I shall explain. My constituents submitted an alternative which met the objectives in the promoter's statement and would have benefited and helped to regenerate a derelict industrial area. That derelict area has just been added to the Heartlands. Therefore, all the arguments that apply to the Heartlands apply to the area which my constituents suggest could benefit from this modern system of transport.

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman again. I know that he is speaking strongly on behalf of his constituents, but his arguments about different routes and the like would be much more relevant to the amendments that have been selected for debate later.

Mr. Davis: The trouble is that my amendment has not been selected for debate. I quite understand that and I would not challenge Mr. Speaker's selection. The Clerk has explained why the amendment, which is in line with what my constituents have asked for, cannot be debated. I shall not go into the merits of my amendments, which are different from what my constituents suggest. There is no identity between my amendments and the argument that I am advancing. My amendments recognise that what my constituents suggest cannot be accepted by the House at this late stage.

Mr. Deputy Speaker: Order. We are considering a technical motion on whether the Bill should be considered. I am sure that the hon. Gentleman realises that in developing his arguments at length, as he is perfectly entitled to do, he must address himself to the fairly technical proceedings in which we are engaged.

Mr. Davis: My argument is that we should not consider this Bill because the alternative was rejected by the passenger transport authority. I am not allowed to promote that route in the House. The passenger transport authority did not properly and fairly consider the alternative. If it had, I would not oppose the Bill. The passenger transport authority did not reject the proposal

out of hand. It gave three reasons why my constituents' suggestion could not be put into effect. I will not describe those in detail because I do not want to trespass on your kindness and generosity, Mr. Deputy Speaker. The three reasons were briefly that, first, the Centro officers who were mentioned—described as heads by the hon. Member for Yardley, but who I consider to be junior, little heads—said it was not physically possible. That was disproved. They have had to drop that because when I asked the city engineer if it was physically possible he said that it was, so that argument cannot be advanced, and is knocked on the head.

The second argument which has been made——

Mr. Bevan *rose*——

Mr. Davis: I shall give way later. The hon. Gentleman has interrupted quite often and it was he who complained about the length of my speech. If this goes on I shall not have time to finish it—*[Interruption.]* Does the hon. Member for Sheffield, Hallam (Mr. Patnick) wish to intervene, because I would always give way to him? No, he does not.

The second reason given for rejecting my constituents' suggestion was that it was estimated to cost £16·5 million. That estimate was subsequently reduced by Centro to £12·5 million, but it then admitted under questioning that this section of the route in the Bill to which we are objecting would cost £2·7 million. If £2·7 million is deducted from £12·5 million, that, in round figures, is an extra £10 million which my constituents wanted to spend.

The hon. Member for Yardley told the House on 22 October in an intervention in my speech that I got it wrong. He said that the cost of the route, as put forward in the Bill, is £6 million. I am happy to be corrected. The Centro officers have told me that it costs £2·7 million, but the hon. Gentleman, to whom I must defer because he introduced the Bill in the House, said that it would cost £6 million. We have been told that the cost of the alternative, which I shall not describe in detail, would be £12·5 million. But the hon. Member for Yardley says that this section in the Bill would cost £6 million. It follows, does it not, that the extra cost is £6·5 million? Will you, Mr. Deputy Speaker, make a special note of that because it is important that my constituents were asking for an amendment which would cost only £6·5 million. That compares with the total cost of £273 million. That is the hon. Member for Yardley's latest figure, as of October, for the cost of the whole route, not the whole network.

Mr. Bevan: I must correct the hon. Gentleman, who consistently seeks to belittle the status of the heads of Centro. He has tried to downgrade them to junior heads. He has tried to say that they are not correctly represented and he is as accurate on that as he is on many other matters. He is quite wrong. Ray Hughes is the head of Metro Development—I repeat that and I should like the hon. Gentleman to acknowledge it. John Fallon is the press and public relations manager—the head, not the junior head. Ray Dixon is the engineering design manager—the head—and Janet Kings is the principal planner. They are not junior heads. They are not also-rans. They are not middle executives. They are as described—the heads of the department.

Mr. Davis: I thought that the hon. Member for Yardley was going to help me with more figures and tell me that the cost of the alternative was even lower than we had been told before and that the cost of the Bill was higher than we had been told before. He has not denied the figures that I have given.

On the question of heads, if it will satisfy the hon. Gentleman and stop him interrupting me, I will concede that Centro is a many-headed body. It is a positive hydra. It has lots and lots of heads. They are all heads. They are all talking heads.

Unlike the hon. Gentleman, I have worked in really big organisations. I was called a manager for many years, but I never described myself as a head. The people working with me would have been amazed if I had thought that I was a head of the company. I was certainly a manager, with many of those titles, but I never presumed to call myself a head of the company. I would have accepted the description of executive. I was a company executive at one stage. That is how I described myself. Later I had "manager" after my name and described myself as a manager, a perfectly respectable title. There is nothing wrong with being a manager. I have been one. I am a member of the managers' trade union. But that does not make one a head of an organisation.

I do not know how many heads the Government have, but nobody would suggest that the very generous Minister for Public Transport is a head of the Government. I do not think that he would even describe himself as a head of the Department. Like me, he is a modest man. He is an important person, but he is not the head of the Department of Transport, any more than I was the head of any of the organisations for which I worked. At least, I do not think that I was. However, let us not pursue that diversion any further.

The hon. Member for Yardley is trying to divert us from the cost. That cannot be denied. I am quoting the figures that the hon. Gentleman gave the House. He told the House that the cost of what is popularly known as the southern route is £6 million, compared with the cost of what is known locally as the northern route of £12·5 million. I got that figure from one of the people whom the hon. Gentleman calls a head of the organisation, so it cannot be contradicted. I am happy to have that person called the head.

The difference between £12·5 million and £6 million is £6·5 million, which is a very important figure for two reasons. It is £6·5 million compared with a total estimate for the route—not just the section in my constituency, but the route from Birmingham to Solihull—of £273 million, so we are talking about a little over 2 per cent. of the total cost.

The third reason why Centro rejected the alternative, which we cannot discuss this evening but which is relevant, is that they said that there would be a lower ridership if the route suggested by my constituents were adopted. They said that fewer people would use Metro. We asked them for figures, and they said that fewer people would use it because fewer people lived near that route. That is certainly true. That is why my constituents suggested it.

Mr. Deputy Speaker: Order. The hon. Gentleman has just said that there is a certain matter which we cannot discuss this evening. He now appears to be proceeding to discuss it.

Mr. Davis: It is important because of something that the hon. Member for Yardley said. I will ask you in a moment, Mr. Deputy Speaker, whether you agree.

Centro told us that between 1,900 and 2,200 people would use the route described in the Bill from Birmingham to Solihull every day. Let me explain immediately, Mr. Deputy Speaker, that I do not intend to go into detail about how I think some of my amendments would keep that ridership, because that would be wrong and would delay progress, and I do not want to do that. Centro said that the passenger total was an important figure. I ask you, Mr. Deputy Speaker, to remember that, because I shall come back to it when I move the first group of amendments.

The promoters said that if we did not choose their scheme, or something close to it, ridership would be reduced to between 500 and 800 per day. We asked the promoters how the figures were made up. My constituents were told—in my hearing—that the figure of between 1,900 and 2,200 passengers a day, on the route laid down by the Bill, was made up of 75 per cent. who would transfer to the Metro from buses, 15 per cent. being new passengers who would not travel between Birmingham and Solihull if it were not for the Metro, and 10 per cent. being people who previously travelled by car. Let us take special note of those figures, which have been cited several times.

The hon. Member for Yardley said today that the route described in the Bill would take a considerable number of vehicles off the road. He nods his head, so he must agree with me. Does it not follow, therefore, that the vehicles which will be taken off the road if the Bill is enacted will be buses, because three-quarters of the people using the Metro will have transferred from buses? On previous occasions, however, the hon. Member for Yardley said that the Bill was intended to relieve traffic congestion, that it would ensure increased use of the public transport network and would bring about environmental improvements. I shall not discuss those improvements because I have already done so at length.

My hon. Friends and I want to provide better public transport. We want people to use the public transport network, and so do my constituents. They are adamant about it. There is considerable criticism in my constituency and in the west midlands about the present inadequate public transport service, so of course we are in favour of improvements to it. But that is not what the Bill is about, because 75 per cent. of the passengers will have transferred from the existing public transport network and not from cars.

Let us consider the promoter's statement in support of consideration of the Bill as amended in Committee. It says:

"It is expected that the Metro network will play an important role in reversing the decline in the use of public transport. It will not of itself solve all traffic problems on roads but will assist to this end. It is also likely to defer for several years the need for some highway improvements or traffic control measures for the relief of congestion on roads."

The hon. Member for Yardley said something similar when he moved the motion for consideration of the Bill today, but I do not think that he is completely accurate. In my view, the promoter's statement is not correct. There are many reasons why we should have the Metro, and I shall give reasons why we are in favour of the project as a whole—I have already touched on some of them—but it is not true to say that it will reverse the decline in the use of public transport. The hon. Gentleman is right when he says that the Bill will not solve all the traffic problems—I suppose that that is a concession—and will not relieve congestion on the roads, because everyone knows that that is caused by motor cars and not by buses. If passengers transfer from buses instead of cars, the impact on congestion will be slight. The hon. Member for Yardley ought to concede that argument because it is the inevitable logic of the arithmetic supplied by the people whom he describes as the "heads" of Centro.

On an earlier occasion, the hon. Member for Yardley also said that car use has increased, and asked us to support the Bill because buses and cars would be provided with free car parks, enabling passengers to use trains following the Midland Metro Act 1989. I see no logic in that argument; there is no connection between the 1989 Act and increased car use, although there is a connection between that Act and the Bill that we are discussing. The 1989 Act introduced the first of these routes, which I believe will run from Birmingham to Wolverhampton. I did not oppose it, although the hon. Member for Yardley keeps trying unfairly and inaccurately to suggest that I did. I simply cannot get it into the hon. Gentleman's head that I opposed neither the 1989 Act nor the concept that it embodied; there was no reason for me to do so. None the less, he is wrong to suggest that the Act provided benefits that it did not provide—and, indeed, has been unable to provide, as the route has not been built, and whether it is ever built will depend on the Department of Transport.

Even if it is built, the route will not help the buses. As it has not yet been built, it has provided no car parks, and there are no proposals for them in either the Act or this Bill. The hon. Gentleman has suggested that such a large network implies the existence of a free car park, but there is no such thing, as I know to my cost—or, rather, I do not, because I have been given a pass, but that is because I am a Member of Parliament. As far as I know, no one else is given free parking facilities, unless they are granted to employees of Birmingham station.

Mr. Bevan: I am trying to help the hon. Gentleman. I have taken advice on the matter, and I am told that the promoters of the Bill expect 10 per cent. of people to abandon their motor cars for the Metro. They expect perhaps 15 per cent. more traffic to be generated. I have also been told that between 20 per cent. and 40 per cent. eventually transfer from cars to the Metro in other parts of Europe where the system has been installed. The hon. Gentleman is making very heavy weather of all this. Fewer people will use cars, and the reduction in the number of car users will increase as time goes on.

Mr. Davis: What the hon. Gentleman has not told us is how long we must wait for that transfer. We have not been told before about an eventual transfer of between 20 per cent. and 40 per cent. My constituents have not heard anything about it when they have talked to the people described by the hon. Gentleman as heads of Centro. He has given us some fresh information today, but he has not told us whether the transfer will happen next year, next century, or later—and he does not look as though he intends to do so. I suspect that he will not do so because he does not know.

Mr. Bevan: I have made it clear that the system, once established, will prove attractive and popular enough to win over more car users than it will at the beginning. I expect the initial 10 per cent. figure to rise to the

continental norm of between 20 per cent. and 40 per cent., which it may do at any point after the system has been installed and allowed to mature. I do not want to be a crystal ball gazer, but perhaps the hon. Gentleman does—I certainly wish he would look at the crystal ball rather than at the mud.

Mr. Davis: The hon. Gentleman invites me to look into a crystal ball. I am not sure that my hon. Friends want me to engage in such speculation, nor do I think that it would be fair to the promoter. The point is that the hon. Gentleman has been unable to give us a date. He talks of what will happen when the system has "matured". That is typical of the predictions of Conservative Members—they are always telling us that things will get better, but they never say when. Unemployment, for instance, is always going to come down, but we never hear when it will do so, and, in our experience, it generally goes up.

Mr. Dennis Turner (Wolverhampton, South-East): Will my hon. Friend give way?

Mr. Davis: If my hon. Friend will allow me to finish what I am saying, I will give way to him a little later. He has been very patient, and I much appreciate his courtesy.

The hon. Member for Yardley introduced the Bill with plenty of dash. Clearly he did not know the statistics that I read out, which is in itself instructive. After I had read them out, he simply repeated them as though he were giving the House new information.

I told the House that the people whom the hon. Member calls the heads of Centro told my constituents that 75 per cent. of the passengers would be transferred from buses, 15 per cent. would be new traffic and 10 per cent. would be from cars. The hon. Gentleman then rushed from the Chamber, checked, came back and read out the same figures. So we have confirmed that. The only difference between us is that he says that the figure will eventually be 20 to 40 per cent. I do not know, and I am not looking into a crystal ball. Centro has said that it will be 75 per cent. from buses, 15 per cent. new traffic and 10 per cent. transferred from cars. That will happen immediately, which has not been denied, so we shall be able to monitor it. It is not a prediction for some unspecified time in the future when none of us—certainly not the hon. Member for Yardley—will be here anyway.

Mr. Turner: I am not anxious to intervene because I know that my hon. Friend the Member for Hodge Hill wants to make the case that he has been making, substantially on behalf of his constituents, but I wanted to ask him about the figures that we are discussing. Those of us who support the Metro firmly believe that it will make a real contribution to the relief of traffic congestion in the black country and the west midlands. My hon. Friend mentioned 10 per cent. I have just finished serving on the Committee on the Road Traffic Bill. The number of cars running across the roads of the west midlands and the black country grows year by year, causing major congestion. If we could move 10 per cent. of our car-owning population to the Metro, it would make a tremendous contribution. So even if it is no more that 10 per cent. of the hundreds of thousands of cars to begin with, it is right for us to believe that the number will grow as we get the route fully developed, and that will take even more cars off the road. If we can get 10 per cent. of car owners on to the Metro, it will make a majestic contribution to solving the road traffic problems of the west midlands.

Mr. Davis: There is no difference between my hon. Friend the Member for Wolverhampton, South-East and me, he will be delighted to learn. I agree completely with him. If we could get 10 per cent. on to the Metro it would make a majestic, to use his adjective, or perhaps one should say a major improvement in congestion, but I do not think that this Bill would do it. I understand my hon. Friend's enthusiasm and I share it, but I think that he has let himself be carried away slightly. I ask him to listen again to what I said. I did not say that 10 per cent. of car owners will transfer to the Metro, as he seems to think I did. I said that 10 per cent. of the passengers on the Metro would be people who had previously used cars. There is a very big difference. I did not suggest that 75 per cent. of bus passengers would transfer to the Metro, but that 75 per cent. of predicted passengers on the Metro would be people who had previously travelled by bus.

Only 10 per cent. of passengers on the Metro, according to Centro's own figures, would be people who had previously travelled by car. If it were 10 per cent. of car owners, as my hon. Friend would like, that would be an incredible improvement; it really would bring about a major reduction in congestion in the west midlands. I wish I could see that day. There are ways, but I would not be in order if I proceeded to discuss how we could get 10 per cent. of car owners out of their cars and on to public transport. I have ideas about that, and I think that my hon. Friend has very good ideas about that, too. I have just one thing to say to him. I went—I do not think that he was able to be there, although my hon. Friend the Member for West Bromwich East was and made a very good intervention—to a very interesting presentation recently. I thought more of it than my hon. Friend the Member for West Bromwich, East did. I think that it would be fair to say that he was more critical than I was. I was very enthusiastic about it. The presentation was made by West Midlands Travel, whose representatives were talking about how we could increase the number of people using buses and achieve a major shift from car-driving to bus-using in the conurbation. The presentation was very exciting. I shall not pursue that subject, however, as that is not what we are discussing this evening.

I want to return to the most important reasons why we should not consider the Bill further. The most important point—I am not surprised that the hon. Member for Yardley wishes to divert us from it—arises from what the hon. Gentleman told the House nearly a year ago. The hon. Gentleman is not even listening, and that is the whole point—Centro will not listen, and its representative in the House will not listen.

A year ago, the hon. Gentleman told the House that if we gave the Bill a Second Reading, it would proceed to its Committee stage and be fully examined. As the hon. Gentleman knows, however, Centro made sure that that did not happen. Contrary to what the hon. Gentleman said today, Centro made sure that my constituents and other residents could not present their objections to the Committee. With the exception of the hon. Member for Yardley, every hon. Member who spoke in support of the Bill urged and advised Centro to act differently. My hon. Friends the Members for West Bromwich, East, for

[Mr. Davis]

Walsall, North for Walsall, South—and, I think, even my hon. Friend the Member for Wolverhampton, South-East—advised Centro not to use the obscure parliamentary procedure of objecting to the locus standi of residents. The hon. Member for Yardley, who I know gets carried away, misled the House when he said that all the objections were considered by the Committee whose report we are considering. He said that only three petitions went to the Committee. He is right, but of those three petitions, two were not from residents and one put only part of the case of one of the five residents' groups which originally petitioned against the Bill. That was significant, as I shall explain in a moment. The residents of Bromford estate were not allowed to put their case to the Committee, despite what had been said previously.

Mr. Snape: In my role as assistant or arbiter in these matters, perhaps in fairness to Centro I should explain that when my hon. Friend and I and other hon. Members criticised its decision not to allow my hon. Friend's constituents to present their petition, Centro told me that it had done so because it had received advice from the authorities of the House to the effect that it should interpret the rules as strictly as possible. I paraphrase, but that was basically the story that Centro told me after a similar exchange at an early stage in our proceedings on the Bill.

Mr. Davis: That is the story that Centro will have told my hon. Friend, but it is not wholly correct. I will explain what Centro meant by "the authorities of the House". The Joint Committee on Private Bill Procedure drew attention to the locus standi rules, but that does not absolve Centro. Centro told me that it was the fault of Sherwood and Company, the parliamentary agents, and that it had put the Bill in the hands of Sherwood and Company and not in the hands of the hon. Member for Yardley. According to Centro, Sherwood and Company took the decision to challenge the locus standi of my constituents. I was interested to discover, following my research, that only two bodies had used that obscure procedure—Centro and British Rail. Those are the bodies that have tried to stifle the opinions of ordinary people and used the procedure to prevent them from being heard. The implications are tremendous, and to hon. Members they are horrifying. The procedure did not have to be used. No promoter of any other private Bill has tried to stop people presenting their views to the Committee set up for that purpose.

Mr. George: My hon. Friend has made his case very strongly over the last hour and three quarters. He is very concerned that people should be allowed to express their views. Having listened to him patiently, I should be exceedingly grateful if he would allow other Members to have their say before the debate ends at 10 o'clock.

Mr. Davis: I invited my hon. Friend the Member for Walsall, South to speak before me. I suspected that the hon. Member for Yardley would interrupt—*[Interruption.]*—as indeed he has. I was anxious to give my hon. Friend a chance to speak. *[Interruption.]* We do not have to finish—the Bill can be carried forward to another date. If we are forced to vote on a closure motion, I shall vote to allow my hon. Friend to have his say.

I shall not be distracted from making the point that I have to make—that Centro prevented my constituents from presenting their case to the Committee. But that is not all. Earlier, Mr. Deputy Speaker, you asked me about routes. The alternative route suggested by my constituents cannot be considered on the Floor of the House. Centro employed Queen's counsel to prevent ordinary working people from explaining their objections. As a result, the Committee was prevented from considering those objections, and the House is prevented from considering and voting on what my constituents suggest. In addition, I am advised that, because of the actions of Centro, it will be impossible for Members of another place to consider that alternative. I shall not take up the time of the House by referring to the reasons that were given, which are very technical and complicated.

It is important to note that there has been another development. Earlier, there was a reference to Mr. Tarr, the director general of Centro. Recently, Mr. Tarr went to a meeting to discuss another route—a route in Coventry—to which people had objected. As I have no desire to interfere in other Members' constituencies, I was not present, but I am told that Mr. Tarr explained to the people of Coventry that their views could be heard by the Committee. A constituent of mine, who was present, tells me that he asked, "In that case, why did you prevent the people of Birmingham from having their views considered by the Committee?" He was not given an answer.

Mr. Snape: Perhaps I can help my hon. Friend. I have just been reading about the meeting to which he refers. The press cuttings describe that part of Coventry as a yuppie stronghold. I do not know whether that is true, but I am sure that such a description does not fit the portion of my right hon. Friend's constituency to which he refers.

Mr. Davis: Certainly not—and the constituent to whom I have referred certainly could not be regarded as a yuppie. As secretary of the residents group, he was prevented from explaining the alternative route that my constituents wished to suggest. I hope that my hon. Friend is not suggesting that the attitude adopted by Centro towards yuppies in Coventry is different from that adopted towards the people of the Bromford estate. That would be outrageous.

The Committee considered two petitions. I have here a copy of the notes that the Chairman was using when he explained the Committee's decisions. We heard that there were three petitions but one of them was withdrawn. In the case of Foseco, the Committee decided to ask the promoter to devise a new route which would not pass through the site of the factory. Foseco was a business, of course—not a group of residents—and it managed to get to the Committee to persuade it that Centro had behaved so badly that there should be a new route.

Mr. Bevan: For the sake of accuracy, if the hon. Gentleman has read the papers he must agree that that decision was taken because of the sensitivity of the instruments used in the process. The diversion was agreed for the special reason that it would have been very difficult to move those instruments.

Mr. Davis: That is an interesting intervention. The hon. Gentleman concedes that that action was taken only because of the petition to the Select Committee. Centro had not intended to do anything about Foseco's sensitive

instruments until the company explained to the Select Committee why its case was so important. That is the point—Centro prevented my constituents from explaining why they were sensitive.

The hon. Member for Yardley has made much of the sensitive instruments. I care, perhaps more than he does, about the sensitivity of ordinary people. Centro has prevented ordinary people, residents and people whose only investment is in their homes, from explaining their arguments to the Select Committee. Centro knew that that would prevent me from putting a detailed case on my constituents' behalf to the House at this late stage—*[Interruption.]* I have taken advice from the Clerks about this and they doubt whether my constituents will be able to present an alternative in the other place. That is a direct result of Centro's actions, which are endorsed by the hon. Member for Yardley—the only hon. Member to have condoned Centro's actions.

This point is important because another group managed to get to the Select Committee. The CARE residents group from Chelmsley Wood, which is not in my constituency, presented half its objections. The Chairman of the Select Committee said:

"So far as the CARE residents are concerned we have listened most diligently to their case. We were not, however, convinced by their argument that the route should not pass through their area. Nevertheless"—

this is the key point—

"we hope to be able to ameliorate the effects of the Bill on the local residents and to this end we seek a number of undertakings from the Promoters".

Five undertakings are then listed. As a result of CARE's presenting half its case, the people whom it represents have benefited from five undertakings from Centro. However, those undertakings had to be extracted from Centro. My constituents could not get any undertakings. Sherwood and Company is employed by Centro, and it represents Centro just as the hon. Member for Yardley represents Centro. Those people should be ashamed because they have stopped ordinary people from having their views heard by the Select Committee.

The hon. Member for Yardley referred to my earlier comments about the residents, meeting with the chairman of the PTA. I was there and I noted that he said:

"We have drawn our battle plans and are absolutely entrenched."

Mr. George: We have heard that before.

Mr. Davis: We certainly have. The chairman went on:

"There is no chance of re-routing, not since the Bill was put in Parliament."

The hon. Member for Yardley has said that my constituents have had an opportunity to discuss the matter with heads of Centro. However, the chairman of Centro—the "top head"—has said that there is no chance of re-routing since the Bill entered Parliament.

I want to make a special point about the figures to which I am referring. The cost of the proposal from my constituents is £6·5 million. However, the amendment which appears in the promoter's statement today will cost £6 million. One organisation has managed to have its petition heard by the Select Committee and there is an amendment which will cost an additional £6 million. My constituents, however, were thwarted, obstructed and stifled—they could not present their petition to the Select Committee for an amendment that would have cost £6·5 million. That is unfair and undemocratic, and it is why we should not allow the Bill to be considered today.

I repeat that my constituents and I are not opposed to the concept of Metro—just to one small section of the route. We believe that a compromise could have been achieved, whereby my constituents would not have been affected and the Metro would have been allowed to proceed from Birmingham to Solihull. According to the chairman, it is Centro that refused to talk to my constituents, in good faith—and it is Centro that prevented my constituents from putting their case to the Select Committee. It should therefore not be allowed to take the Bill any further today because that is not fair. Centro should be told that it has not behaved properly.

I do not want to stop the route which goes through Walsall. I understand the wish of my hon. Friend the Member for Walsall, South to support that route and I shall not do anything to stop it. So far as I am concerned, that route can go ahead.

Mr. George: My hon. Friend is vetoing it.

Mr. Davis: No, I am not vetoing it. Will my hon. Friend say why he thinks that I am doing that? If my hon. Friend were to rise, I should be pleased to hear his point of view.

Mr. George: I am grateful for the chance to intervene, but I should have much preferred 15 minutes to explain my case. My hon. Friend accuses Centro of preventing free speech, but he has fallen into the trap of doing exactly the same thing.

Mr. Davis: My hon. Friend is mistaken. He has been a Member of the House longer than I have and he should know that I am not stopping him speaking. I say this in all comradeship and friendship. I am not stopping my hon. Friend speaking.

Mr. George: My hon. Friend has done just that.

Mr. Davis: No, my hon. Friend has mistaken the procedures of the House. We do not have to vote today. We can go forward and resume the debate. My hon. Friend can then have more than 15 minutes. I should like him to speak. That is why I asked him if he would like to speak before me. I offered to give way before I even started——

Mr. Bevan *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 88, Noes 9.

Division No. 76] **[9.58 pm**

AYES

Alexander, Richard	Chapman, Sydney
Amos, Alan	Clark, Rt Hon Sir William
Arbuthnot, James	Curry, Mrs Edwina
Arnold, Jacques *(Gravesham)*	Davies, Q. *(Stamf'd & Spald'g)*
Baker, Nicholas *(Dorset N)*	Davis, David *(Boothferry)*
Bellingham, Henry	Fallon, Michael
Bellotti, David	Fenner, Dame Peggy
Bennett, Nicholas *(Pembroke)*	Field, Barry *(Isle of Wight)*
Bevan, David Gilroy	Finsberg, Sir Geoffrey
Blackburn, Dr John G.	Fowler, Rt Hon Sir Norman
Boswell, Tim	Freeman, Roger
Brazier, Julian	Gill, Christopher
Brown, Michael *(Brigg & Cl'Th's)*	Goodlad, Alastair
Browne, John *(Winchester)*	Gorman, Mrs Teresa
Campbell, Menzies *(Fife NE)*	Greenway, John *(Ryedale)*
Cash, William	Gregory, Conal

Griffiths, Peter (Portsmouth N)
Grist, Ian
Hague, William
Hamilton, Hon Archie (Epsom)
Hargreaves, A. (B'ham H'll Gr')
Hargreaves, Ken (Hyndburn)
Harris, David
Hawkins, Christopher
Haynes, Frank
Hill, James
Howarth, G. (Cannock & B'wd)
Hunter, Andrew
Irvine, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym (Cardiff N)
Kirkhope, Timothy
Knapman, Roger
Knight, Greg (Derby North)
Knight, Dame Jill (Edgbaston)
Lawrence, Ivan
Lyell, Rt Hon Sir Nicholas
Mans, Keith
Maples, John
Marek, Dr John
Mayhew, Rt Hon Sir Patrick
Michael, Alun
Mitchell, Andrew (Gedling)
Neubert, Sir Michael
Nicholls, Patrick
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Powell, Ray (Ogmore)
Ruddock, Joan
Ryder, Rt Hon Richard
Sackville, Hon Tom
Scott, Rt Hon Nicholas
Shaw, David (Dover)
Short, Clare
Snape, Peter
Stern, Michael
Stevens, Lewis
Stewart, Allan (Eastwood)
Summerson, Hugo
Taylor, Matthew (Truro)
Thorne, Neil
Thurnham, Peter
Turner, Dennis
Waldegrave, Rt Hon William
Waller, Gary
Watts, John
Wells, Bowen
Widdecombe, Ann
Wilson, Brian
Winnick, David
Wood, Timothy

Tellers for the Ayes:
Mr. Roger King and
Mr. Bruce George.

NOES

Barnes, Harry (Derbyshire NE)
Davies, Rt Hon Denzil (Llanelli)
Dixon, Don
Gordon, Mildred
Hogg, N. (C'nauld & Kilsyth)
Hood, Jimmy
Hughes, John (Coventry NE)
Nellist, Dave
Skinner, Dennis

Tellers for the Noes:
Mr. Terry Davis and
Mr. Bob Cryer.

Whereupon MR. DEPUTY SPEAKER *declared that the Question was not decided in the affirmative because it was not supported by the majority prescribed by Standing Order No. 36 (Majority for closure or for proposal of question.)*

It being after Ten o'clock, the debate stood adjourned.

Debate to be resumed on Thursday 28 February.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Representation of the People Bill may be proceeded with, though opposed, until any hour. —*[Mr. Kirkhope.]*

Orders of the Day

Representation of the People Bill

"Not amended (in the Standing Committee), considered.

New Clause 2

AUDIT OF PAYMENTS TO RETURNING OFFICERS (No. 2)

"(1) The Representation of the People Act 1983 shall be amended as follows.

(2) After section 29 there shall be inserted

"(29A) Where any payments are made to a Returning Officer under section 29 of this Act for charges in respect of services properly rendered or expenses properly incurred for or in connection with a Parliamentary election then any such payment relating to a service or expense of any specified description for which no maximum recoverable amount has been specified by the Treasury under subsection (3) of section 29 of this Act shall be audited by the National Audit Office and a report of the audit including details of the payments made shall be presented to the House of Commons." —*[Dr. Marek.]*

Brought up, and read the First time.

10.5 pm

Dr. John Marek (Wrexham): I beg to move, That the clause be read a Second time.

As a result of the preceding vote, I fear that if hon. Members speak at length on Government business, the Whips will have to do some telephoning around to make sure that they get to bed at a reasonable hour. However, the Bill is not very contentious. I hope that the Government will see some sense in the new clauses and amendments which we have tabled and which we shall debate. If the Government are willing to help, I have no intention of keeping the House a moment longer than is necessary.

New clause 2 is a scrutiny clause to ensure that the House can be satisfied that any expenses and charges paid to returning officers are properly audited. The Bill removes the maximum that can be paid under certain headings to acting returning officers and returning officers for parliamentary elections. Where the maximum is not available, the House must have some form of scrutiny to check that money which has been spent has been spent reasonably. We made some progress on that in Committee. I congratulate the Government because it is clear that if any hon. Member wishes to put down a question relating to his or a nearby constituency about what was spent at a parliamentary election, the Treasury is happy to give the answer under the precise headings given in the regulations detailing expenses.

However, we need to know more—scrutiny is only the first part. The House will want to know that the sums have been audited and are reasonable expenses or charges. There is a general duty on the National Audit Office to examine anything spent from the Consolidated Fund. I do not know in how much detail the National Audit Office examines the accounts of acting returning officers and returning officers. It may examine them closely, but I doubt it. I think it plucks out one account and examines it. That is a well-known strategem which may work. But there is no harm in spending time examining in detail accounts rendered by acting returning officers as general elections do not happen very frequently. In the past 10 years we have had elections about every four years.

I shall give some reasons why the accounts should be rendered. The Government supplied every Committee member with examples of the highest and lowest expenditure for each sub-head at the 1987 general election. The list is not exhaustive and I shall list the details provided. Under heading B5, returning officers' travelling overnight subsistence expenses can be claimed. The highest claim of £264·58 was made by the acting returning officer at Cirencester and Tewkesbury. No claims were made from Harlow.

10.15 pm

I imagine that, in some constituencies, acting returning officers would need to have overnight subsistence and travelling expenses but not, surely, in Cirencester and Tewkesbury. That does not mean that I think the claim was improper—I do not know. I might have expected it from a large constituency such as Ceredigion and Pembroke, North, but where the constituency is compact, I raise my eyebrows at such a figure. Why should the claim for Cirencester and Tewkesbury be £264·58 when no money is spent in Harlow?

Section B6 provides for presiding officers' and poll clerks' subsistence expenses. The highest figure in the 1987 election was in the constituency of Tatton, where the Consolidated Fund was debited £2,756·25. But in Preston constituency, which is not far away, no claim was made against the Consolidated Fund. Does that mean that the acting returning officer was not looking after his staff and not providing them with subsistence expenses so that they had to bring their own sandwiches, whereas in Tatton Harrods hampers and bottles of champagne were delivered? I do not know. I am merely asking the question, which is not one into which I or any hon. Member would specifically want to inquire. However, it should be considered by the National Audit Office, and the new clause seeks to provide for that.

For clerical assistants' subsistence expenses, the highest claim came from Tottenham—£707·15. No claim was made in Gelding. For printing and providing ballot papers, the claim in Berkshire, East was £2,780·70. In Copeland it was only £609·50. That difference might be explained by different methods of printing, or perhaps Copeland has its own printing press whereas Berkshire, East has not. An explanation should be given, or at least we should be satisfied that the National Audit Office has gone into the matter accurately and that, in its view, the figures for Berkshire, East and Copeland are acceptable. I do not know whether the NAO looks into the figures or simply picks a few at random from the 650 constituencies.

Printing and providing poll cards in Stroud cost £3,803 whereas in Fylde it cost only £101·1. While the constituencies are not greatly different in size, that was a huge differential in costs and claims made against the Consolidated Fund.

For printing notices about the election, in Staffordshire, South-East it cost £2,744·34, whereas in Canterbury one might think that the returning officer did not want his constituents to know about the elections because he claimed only £56. For renting rooms for electoral purposes, the cost in Hornsey and Wood Green was £6,709·15 whereas in Tweeddale, Ettrick and Lauderdale the claim was only £536·61.

The cost of adapting and fitting rooms in Hornsey and Wood Green was £27,067·94, whereas Banbury claimed only £50. One might have thought that Hornsey and Wood Green would have built some new classrooms on the strength of the Consolidated Fund or at least redone the local committee chambers. I would hope that that figure was spotted by the NAO and certified as being reasonable.

I repeat that I am not casting doubts on the reasonableness of any of the figures. I hope that the Economic Secretary can assure us that, when the figures appear high, questions are asked to ensure that they are reasonable.

For repairing and providing ballot boxes, the claim was £1,984·30 in Falmouth and Camborne and nil in Gelding.

Mr. Jacques Arnold (Gravesham): Will the hon. Gentleman please explain the relevance of Gelding as opposed to Gedling?

Dr. Marek: I am referring to Gelding, not Gedling.

Mr. Arnold: If the hon. Gentleman feels that Gelding is so important, will he say where it is?

Dr. Marek: I dare say it is somewhere in England. Being a Welsh Member, I hope that the hon. Gentleman will forgive me for not knowing precisely where it is. If it turns out to be Gedling, he will have to address his strictures to the Economic Secretary because I am reading from a Treasury paper. Should it be Gedling—I still do not know where it is, though it must be somewhere in the south-east of England—I compliment it on making a nil claim for the second time.

It was stated in Committee that the claim in Slough for transporting ballot boxes and ballot papers was £4,079·86, while at the other end of the scale, in Alyn and Deeside, it was £1·27. What happened there? Did the returning officer tell the presiding officers at the polling stations, "You must pack up the ballot boxes when you have finished with them?"

Sir William Clark (Croydon, South): Really!

Dr. Marek: These are important matters. I should have thought that the right hon. Member for Croydon, South (Sir W. Clark), who has taken part in many Finance Bill debates, would not wish to gloss over significant variations in figures and would want to know why such differences occurred.

Slough spent £4,079·86, whereas Alyn and Deeside spent £1·27. Fylde spent £573·38 on stamping instruments, but Calder Valley spent £2·47. In Halton, no charge for copies of the electoral register was made against the Consolidated Fund, whereas in Harwich £140 was spent. We should not capriciously debit the Consolidated Fund. If it is debited, it should be for a good purpose. Finally, miscellaneous expenses——

Mr. Jacques Arnold: Is this final?

Dr. Marek: It is the final matter in the list, but it is not the end of my speech.

Slough had miscellaneous expenses of £9,656·83, whereas Halton spent £22·42. It seems that some constituencies carefully husband their resources, but I do not suggest that they should do so at the expense of providing comfortable working conditions for staff and convenience for the electors. I have not been to Slough, but perhaps it is a dangerous place and it may be necessary to engage taxis to take staff home at night. Plainly, Alyn and

[Dr. Marek]

Deeside is not a dangerous place because the returning officer there feels that there is no risk in transporting ballot boxes.

There are wide variations in the list, and they cannot be explained by saying that constituencies are diverse. There must be another explanation; and if there is, it must be unusual and must relate to circumstances that arise at a particular time. The National Audit Office should look at individual expenses to make sure that they are reasonable. *[Interruption.]* My hon. Friend the Member for Derbyshire, North-East (Mr. Barnes) has just entered the Chamber, so I now have some support.

The clause is tightly drawn because we do not want to put the National Audit Office under great pressure. It asks that the National Audit Office should look at any payments

"relating to a service or expense of any specified description for which no maximum recoverable amount has been specified by the Treasury under subsection (3) of section 29 of this Act . . . "—

that is, the Representation of the People Act 1983. The Bill makes changes to the 1983 Act and the new clause is sensible and sober. It does not ask for much, and I look forward to the Government's acceptance of it.

The Economic Secretary to the Treasury (Mr. John Maples): The hon. Member for Wrexham (Dr. Marek) made an interesting speech. I cannot explain all the differences in the expenses that he outlined. He mentioned transport costs. I think that in Alyn and Deeside the ballot boxes must have been taken on the bus; and, clearly, in urban constituencies some people are not willing to work late at night unless taxis are provided to take them home. The fitting out of election rooms often occurs because local authorities have become increasingly reluctant to disrupt schools for a whole day. That means that other premises have to be found, rented and fitted out.

The present system of checking expenses is that no payment can be made from the Consolidated Fund without the approval of the National Audit Office and the Treasury. That is a statutory requirement. The National Audit Office also audits the Consolidated Fund. We think that that scrutiny is adequate.

If the new clause were incorporated in the Bill, it would cause considerable administrative problems. Fewer than 50 per cent. of the expenditure headings would have maxima attached to them, meaning that about 20 expenditure headings would be subject to the procedure set out in this clause, multiplied by 650 constituencies. We are talking about a lot of specific checks and information.

The Government's view is that it would be expensive to administer, involving a lot of extra work, which would be difficult to justify, and the publishing of much information which, I suspect, eventually, nobody would read. Additionally, there would be a delay of between one and two years. As there is a general election only every four or five years, the work on checking those expenses and details is spread out over a year or two, and the information, if it were published, would necessarily be published somewhat late.

I have made it clear to the hon. Gentleman in Committee that, should any hon. Member wish to know the details of the expenditure in any constituency, this could be achieved by tabling a parliamentary question. The hon. Gentleman did that in respect of his own constituency.

If the functions were transferred under this Bill from the Treasury to the Home Departments, which is a possibility envisaged by clause 1(4) of the Bill, the system would change slightly; payments under these regulations would be administered by the Home Departments, so what would be transferred from the Consolidated Fund would be blocks of money rather than payments of specific headings of expense. Those could be transferred only with the approval of the National Audit Office and the Treasury, but individual payments to constituencies would be made by the Home Departments concerned which would be responsible for checking the individual payments, subject to later audit by the NAO. This is the usual system of public expenditure control.

The National Audit Office is responsible to Parliament for producing accounts for these Departments and for the Consolidated Fund. The Public Accounts Committee could look into these activities if it wanted to.

I hope that I have succeeded in persuading the House that adding this clause to the Bill would cause administrative delays, and would serve no useful purpose and that existing scrutiny is adequate.

Question put and negatived.

Mr. Don Dixon (Jarrow): On a point of order, Mr. Deputy Speaker. The Question on the new clause was put twice. On the first occasion only aye was shouted, so why was the Question put again?

Sir Geoffrey Finsberg (Hampstead and Highgate): Further to that point of order, Mr. Deputy Speaker. I did not follow the loud example of Opposition Members by shouting. I said no.

Mr. Deputy Speaker (Mr. Harold Walker): That dispute had better be resolved by hon. Members.

Clause 1

CHARGES FOR RETURNING OFFICERS' SERVICES AND EXPENSES

10.30 pm

Dr. Marek: I beg to move amendment No. 3, in page 1, line 13, at end add

'but subject to the condition that any fees paid to any Returning Officer or Acting Returning Officer for conducting a combined poll will be no higher than what would have been the higher of the individual fees paid had the elections not been combined'.

The amendment seeks to achieve greater fairness. Hon. Members will know that acting returning officers and returning officers receive a specified fee for conducting parliamentary and general elections. The fee for conducting parliamentary elections is about £1,000 and the acting returning officer in an average constituency receives about £1,100. For European elections the fee is much higher. Statutory instrument 995 on the representation of the people, which came into force on 13 June 1989, shows that for conducting a European parliamentary constituency election a returning officer receives at least £6,760, to which various emoluments are added. Returning officers at European elections would perhaps receive about £7,500.

Returning officers have a fully inclusive salary from their local authorities, and I do not think that they forgo any of that at any stage. On 23 January I asked the Home Secretary

"whether for the 1987 general election any chief executive of a local authority (a) refused appointment as an acting returning officer or (b) took unpaid leave from their authority in order to carry out the function of an acting returning officer."

The Minister of State, Home Office, replied:

"Chief executives of local authorities in England and Wales who are acting returning officers are not directly appointed to that office: they have a statutory responsibility to carry out the duties of acting returning officers by virtue of the fact that they are electoral registration officers appointed by a district or London borough council."

Because they are appointed electoral registration officers, they automatically become acting returning officers. The Minister went on to say:

"We are not aware of any chief executive who took unpaid leave in order to carry out the duties of acting returning officer at the last general election."—[*Official Report*, 23 January 1991; Vol. 184, c. *185*.]

However, it is clear that there are constituencies where, if one is not an acting returning officer or returning officer but a presiding officer or poll clerk, one's pay is docked for the day because a poll clerk receives the princely sum of £50 or so and a presiding officer receives, I think, £84.

That does not seem to be fair. If people are paid an extra fee, so be it, although I am not sure that I am convinced of the rightness of that, but I do not see why, if there is a combined poll, that fee should be further increased. Schedule 2 of the statutory instrument relates to the scale of maximum charges in respect of services rendered and expenses incurred by returning officers for specified functions at combined polls. Where the returning officer conducts a parliamentary election on the same day as a European parliamentary election, the fee is £217. That is just the fee, but there are disbursements in addition. I do not think that there can be an argument for paying that sum, although it is small.

I am glad that the Minister agreed in Committee to consider again combined polls and fees paid. I hope that he has done so. I look forward to hearing what he has to say.

Mr. Maples: The hon. Gentleman said in Committee that he would return to the question. What he suggests is that, when two polls are conducted on the same day, the returning officer should receive only the higher of the two fees. We believe that the returning officer should receive more than the higher fee but less than the total of the two combined. There is more work involved in running a combined poll, but obviously less than in running two separate polls. The returning officer has more complicated arrangements to make for polling stations, counting ballots and the co-ordination and liaison of two polls being conducted at the same time on the same day in the same polling stations.

There are considerable complications in deciding exactly how the fees should be arranged in the circumstances of a combined poll. For instance, a returning officer might be the returning officer in both elections or he might be the returning officer in only one election.

The fees paid to returning officers in local government elections are set and paid not by the Government, but by local authorities. In some cases they may be incorporated in the returning officer's salary. The duties may be part of his contract. They are more usually reimbursed with an additional and separate fee. The fees are agreed informally by local authorities. Most local authorities pay according to the scale that they have agreed.

There is the inter-action of three sets of fees—parliamentary, European and local elections fees—together with the different combinations of returning officers' duties. The same person could be returning officer in the parliamentary and the European elections, or the returning officer in only one. In the case of the parliamentary election, the returning officer could be returning officer for more than one parliamentary election within the same Euro-constituency or the same local authority.

We recognise the concern over the matter. Large fees are involved. It is clear that people should not get two fees. The hon. Gentleman's probing has thrown up anomalies in the regulations. There are no regulations which deal with parliamentary elections being combined with local elections. When the new regulations are introduced, we will deal with the problem. I cannot say exactly how we will do so, but we will make sure that a returning officer receives an appropriate amount more than the higher fee, but considerably less than both fees together.

In the case of a Euro-election, I am afraid that the regulations to which the hon. Gentleman referred do not make the provision which I have described as being the Government's policy. They allow for both fees to be paid, with the £217 in addition. That is a mistake. I am grateful to the hon. Gentleman for illuminating the mistake which we will put right. Those regulations will also be amended to make sure that practice is in line with policy, which would be that a sum appropriately in excess of the higher fee would be paid, but on no account would both fees combined be paid. On absolutely no account would a supplement in excess of both fees be paid.

I hope that that satisfies the hon. Gentleman.

Dr. Marek: I am glad to have been of some service to the Treasury. What the Minister said has been illuminating. There are, indeed, no regulations about parliamentary elections combined with local elections. What the Minister has said cheers me up. I think that we will get our financial business right as a result. It shows that the debate has been worthwhile.

In the circumstances, I beg to ask leave to withdraw the amendment.

Amendment, by leave withdrawn.

Dr. Marek: I beg to move amendment No. 1, in page 2, line 10, at end insert

'(3A) For subsection (6) there shall be substituted—

"(6) No superannuation contributions will be required to be paid by a local authority in respect of any person under this section as part of a returning officer's charges at a parliamentary election and no amount shall be charged on and paid out of the Consolidated Fund to any local authority for this purpose."'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 2, in page 2, line 10, at end insert

'(3A) For subsection (6) there shall be substituted—

"(6) No superannuation contributions shall be paid by a local authority in respect of any person under this section as part of a returning officer's charges at a parliamentary election and no amount shall be charged on and paid out of the Consolidated Fund to any local authority for this purpose."'.

Dr. Marek: These amendments deal with superannuation. The House will know that payments made to acting returning officers and to returning officers are superannuable. I shall not repeat our arguments in Committee, but general concern was expressed there about this practice for fees for elections. Conservative Members pointed out that the pensions of returning officers who retired after a spate of elections would be increased, while the pensions of returning officers who retired perhaps after four or five years without an election, or with only one election, would not be increased. It was felt that that was inherently unfair, and that there was an element of chance when an acting returning officer retired.

I would go further, as I do not think that such payments should be superannuable. The claim would again be against the Consolidated Fund. Returning officers have a good salary—as they should—and are well paid for the job that they do. Clearly, as they are appointed electoral registration officers and necessarily become acting returning officers, it could be said that the latter duties should be part of their duties on behalf of the local authority and that they should carry them out for nothing.

That is not the position and the history is somewhat different. However, it is unnecessary for any fees to be superannuable. It causes a lot of administration and introduces an element of chance. We could well do without it and I recommend to the Economic Secretary that the Treasury should save its money and keep the Consolidated Fund in a healthy surplus.

The two amendments differ slightly. The first states that:

"No superannuation contributions will be required to be paid by a local authority in respect of any person",

giving the option to the local authority, if it so wished, to pay a superannuable contribution to the fee. Nevertheless, the amendment also states that

"no amount shall be charged on and paid out of the Consolidated Fund to any local authority for this purpose."

It is a permissive amendment, but it protects the Consolidated Fund from any depredations by way of superannuation contributions.

Amendment No. 2 is a little more strict and states that:

"No superannuation contributions shall be paid by a local authority in respect of any person under this section . . . and no amount shall be charged on and paid out of the Consolidated Fund to any local authority for this purpose."

As I am a generous person, I have given the Economic Secretary a choice this time. He can accept either amendment, and I shall be delighted to hear which it is.

Mr. Maples: This is another matter that was raised in Committee and to which we said that we would return on Report. I am gratified by the interest of the hon. Member for Wrexham (Dr. Marek) in the health of the Consolidated Fund. I wish that his interest were shared by some of his colleagues, and sometimes by some of mine.

The question of superannuation is difficult. We discussed it in Committee, and hon. Members on both sides of the Committee expressed the view that payments should not be superannuable. I said in Committee that I would do two things. First, I would let the House know what procedure was necessary to change the arrangement and whether it was necessary to amend the Superannuation Act 1972, or whether this could be achieved by amending the 1986 regulations. It can be done by changing the regulations.

I said also that I would look into the matter and take it further within the Government. This subject really concerns the Department of the Environment and the Home Office. I have written to my right hon. Friend the Secretary of State for the Environment, telling him of the anxiety expressed by hon. Members on both sides of the Committee on this issue and suggesting that it is appropriate to look into the matter. I am sure that the hon. Member for Wrexham will understand that it is more complex than it appears on the surface. Therefore, I am not in a position to give him the Government's considered view at present, but I shall do so when a decision has been reached.

The amendments would simply stop the contributions. The fees would remain superannuable, under the 1986 regulations; the employee—in this case the returning officer—would have to make his contribution, but one of the amendments would stop the local authority from making its contribution while the other would give it the right not to do so if it so wished. In neither case would the authority be reimbursed from the Consolidated Fund.

The pension rights of the returning officer would remain in place, but part of the funding would be removed. We do not consider that that is the right way to deal with the matter. If the House decided that it wanted to deal with it by ensuring that such payments would not be superannuable in the future, the right way to do so would be to amend the 1986 regulations.

10.45 pm

That would be a complex process, and would involve questions of fairness. Some people who have acted as returning officers for some time will have been paying money into their local authorities' pension funds for several years, and that arrangement could not suddenly change: transitional arrangements would be needed. We all take a great interest in our own pension arrangements, and I suspect that local authority chief executives and others who act as returning officers take an equal interest.

The views expressed in Committee by hon. Members on both sides of the House have been communicated to my right hon. Friend the Secretary of State for the Environment. The Government are considering the matter, and I will inform the hon. Member for Wrexham as soon as we form a view.

Dr. Marek: I thank the Minister for that helpful reply. I assure him that the Opposition did not intend to deprive anyone of benefits that have already been agreed to, and which people expect to gain when they retire. The Minister is quite right: it is not a simple matter to table an amendment in the way in which we have sought to do. I readily accept that ours are defective.

I shall wait with interest to see what happens. Meanwhile, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Maples.]*

10.47 pm

Dr. Marek: The Bill has not taken too much of the House's time. In Committee, it took us a single sitting to go through a number of amendments, as a result of which certain things will happen that would not have happened

without our debate. This is, I think, an example of parliamentary deliberations improving a Bill. I hope that the Bill is now in a fit state to be added to the statute book.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

LIAISON

Ordered,

That Mr. Nicholas Winterton be added to the Liaison Committee.—*[Mr. Nicholas Baker.]*

Territorial Army

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

10.48 pm

Mr. Neil Thorne (Ilford, South): Let me say how pleased I am that my hon. Friend the Minister of State is replying to the debate—accompanied by his parliamentary private secretary, my hon. Friend the Member for Stroud (Mr. Knapman). Many hon. Members are interested in this subject, however—including, I believe, your good self, Mr. Deputy Speaker. I number among those who are present my hon. Friends the Members for Wanstead and Woodford (Mr. Arbuthnot), for Westminster, North (Sir J. Wheeler), for Croydon, South (Sir W. Clark), for Canterbury (Mr. Brazier), for Winchester (Mr. Browne), for Hampstead and Highgate (Sir G. Finsberg), for Hyndburn (Mr. Hargreaves), for Dulwich (Mr. Bowden), for Ludlow (Mr. Gill), for Medway (Dame P. Fenner), for Ryedale (Mr. Greenway), for Basingstoke (Mr. Hunter) and for Romford (Sir M. Neubert).

The gravity of the situation in the Gulf has again highlighted the need for the United Kingdom to retain an adequate military capability. The response to recent events has illustrated the Army's ability to meet the challenge of the unexpected in a magnificent manner while it continues to fulfil its roles in Northern Ireland, Belize, Hong Kong, Gibraltar and many other parts of the globe.

However, to meet this new demand our forces in north-west Europe and in the United Kingdom have been stripped both of men and of material. But for the lessening of tension in Europe, I doubt whether we should have been able to respond. Even so, we have had to recall individual reservists and have enlisted nearly 1,000 territorial soldiers in support of Operation Granby. This includes those who have had to volunteer for service on a regular engagement in order to ensure that they could take part.

There is a large element of the Territorial Army general hospital deployed to the Gulf—namely, 205 General Hospital from Glasgow, along with individuals from many regiments and corps. Of course, they would all have preferred to be deployed as part of their own units, but, because the TA has not been embodied, many have volunteered as individuals.

The House will also be interested to know that in addition to those TA soldiers who have enlisted their services in support of operations in the Gulf, many have been employed during their normal training periods in this country in various roles directly in support of those operations. A number of TA personnel have been instructing regular service men in a variety of special skills prior to their deployment.

The House will be aware that regular reservists are ex-regular soldiers who have a statutory liability to serve, while the territorials are all volunteers. Many members of the Territorial Army are clearly disappointed that they have not been called upon to contribute to the operation in view of what in recent years has been referred to as the "one Army" concept.

Here I should mention that those reservists who have responded and have been successful in going have been supported magnificently by their employers in every case. I think that we should acknowledge that, and I hope that the Department will in due course write individually to those employers expressing thanks.

The disappointment of territorial soldiers is increased by the knowledge that so many of the regular Army units serving in the Gulf have had to be brought up to strength from other units and individual reservists. Nevertheless, it is heartening to know that our volunteers who have in the past so often come to the defence of our country still feel that same sense of loyalty.

We have rightly hoped for a peace dividend with the advent of glasnost and it was with this in mind that the Secretary of State announced in the House on 25 July 1990 his intention to conduct studies into "Options for Change" for defence. In his statement, he said:

"volunteer reserves will continue to play a key role, and we wish to consider the appropriate numbers for the future, having regard to our needs and realistic levels of recruitment and retention."—[*Official Report*, 25 July 1990; Vol. 177, c.472.]

His more recent statement on 22 January indicated that the studies on "Options for Change" would take account of the changes in eastern Europe and the Gulf operations. The House may not be aware that, despite those statements, an exercise continues within the Ministry of Defence aimed at drastic reductions in the TA. The feeling among many of those concerned is that the cuts proposed are such that they could in the long term mean the demise of the Territorial Army as we know it today.

That would seem unbelievable when comparing the relative costs of the territorial and regular forces. In the plans for the support of NATO, the TA provided one third of the Army at only 6 per cent. of its total cost. The cost of a volunteer is about one seventh of that of a regular soldier.

Sir Geoffrey Finsberg (Hampstead and Highgate): Does my hon. Friend agree that, whatever the need for a reduction in the services after the Gulf war, terrorism will not go away and, therefore, the need for the Territorial Army to be available at stations and airports will grow, and that it would be folly for this exercise within the Ministry to continue?

Mr. Thorne: I am grateful to my hon. Friend the Member for Hampstead and Highgate for making that important point; it is one which we must consider seriously.

If we are to recruit, train and retain an adequate number of volunteer soldiers, they must feel that they belong to a worthwhile organisation. That will not be the case if we reduce their units to skeleton strength and split them up in war among previously unknown commanders. Nor shall we encourage a healthy community spirit if we organise them on a central rather than a territorial basis, with a lesser training commitment. That has already been demonstrated by the difficulty experienced in recruiting for the home service force, which had that lesser commitment. If we take that course, we shall lose many of our volunteers and find it difficult to attract the quality of recruits required.

Mr. Julian Brazier (Canterbury): I have recently returned from a drill night with a home service force unit, at which we were told that the number of man training days next year is to be reduced by a quarter.

Mr. Thorne: I hope that that is only a temporary measure, as the importance of proper training for the TA is vital.

Mr. John Greenway (Ryedale): The community feature of the Territorial Army is especially important the further away from London one is. There is a loyalty to the unit and the cap badge, and to the community. Does my hon. Friend agree that if that loyalty were lost, many would not bother to join the TA in the first place?

Mr. Thorne: My hon. Friend anticipates my remarks.

While military operations will remain the prime role of the Territorial Army, I see tremendous scope for employment in support of the civil community, especially in the event of national disasters such as the Lockerbie air and Clapham rail tragedies. The House will be aware that Territorial Army volunteers played a valuable part at Lockerbie and were some of the first on the scene of the accident.

The present spread of Territorial Army units across the country provides, at little cost, a framework in the community to maintain an awareness of our defence responsibilities. It provides a source for utilising the energies of young people who wish to serve their country, but would not necessarily wish to be part of the regular forces. Many of those who join to get a taste of military life later transfer to the regular forces.

The large network of TA units plays a valuable part in any community and, along with our cadet forces, instils a sense of discipline and civic responsibility in our young men and women.

I am concerned that the Ministry of Defence, faced with inadequate resources for its regular forces, will take decisions about the Territorial Army, as it did in 1967, that might be justified against the precise military needs of today, but which are contrary to the wider and longer-term interests of the nation and which once implemented would be almost impossible to reverse.

As we pull forces out of Germany, there will be great difficulties in providing accommodation and training areas for an adequate regular army, quite apart from the pressures on defence spending. That is all the more reason for retaining a strong TA. These citizen soldiers are high calibre, well-motivated people whose training standards can be quickly improved in time of tension—and we can expect more warning time now that the Warsaw pact has crumbled.

The success of the United States in mobilising many members of the National Guard and reserves, and the political backing that this has received, helps to prove that reserves can make a most valuable contribution in a variety of circumstances.

The nationwide spread of the TA is an important element in its continuing effectiveness. The benefits to those who train in the TA help to make up for the lack of national service in bringing the benefits of military training to many more of our young people than could ever join the regular forces. Indeed, the TA provides a valuable link between the military and the community as a whole and promotes an awareness of defence requirements.

However, if the figures said to be under consideration are true—a reduction from an establishment of 86,000 to a possible 51,000—the TA might not be sustainable. The reduction of an infantry battalion to cadre size, while retaining cap badges, for example, does not provide either the challenge or the esprit de corps that will attract the volunteer.

Mr. John Browne (Winchester): My hon. Friend's active support of the TA is well known. Does he agree that the TA offers flexibility of manning as well as of spending for the Army, both of which are extremely important? If we use the TA, we can spend more on the essential battlefield oxygen of logistics. We are learning how important that is in the Gulf, in a modern high-intensity battlefield. Does my hon. Friend agree that the legislation surrounding Queen's order No. 2 is too inflexible and that the Government are not able to use the TA to best advantage?

Mr. Thorne: My hon. Friend makes a very important point. This is a matter which ought to be looked into. In my view, there will be an increasing role for the TA. Unless we explore all avenues, we shall not get the maximum benefit.

The argument that the recruited strength of the Territorial Army is only 71,000 and that, therefore, the reduction would not be serious is incorrect, in that a reduction to 51,000 would lead to a reduction in the actual strength of about 40,000. It is, of course, essential that the strength of senior officers and non-commissioned officers be maintained so that in times of emergency there is a firm base on which to build.

How does the proposed reduction in the Territorial Army, together with the reductions that have already taken place in the funding of training, square with the statement of the Secretary of State on 25 July that greater use is to be made of the reserves? Can the House be assured that the Government accept that an effective TA recruited widely across the country is of vital importance to the life of the nation, that no proposals for the reduction of the Territorial Army have been agreed by the Army Board and, moreover, that any decisions on its future size and shape will be delayed until after the conclusion of operations in the Gulf when the lessons of that conflict have been analysed?

11.1 pm

The Minister of State for the Armed Forces (Mr. Archie Hamilton): I congratulate my hon. Friend the Member for Ilford, South (Mr. Thorne) on obtaining this debate. The fuure of the TA is, I know, a matter of great interest to hon. Members on both sides of the House.

This country has a long history, spanning centuries, of part-time volunteer soldiering. When the present Territorial Army was formed in the early years of this century, many units had their origins in the infantry and yeomanry that had been raised in Napoleonic times. The Territorials have fought with distinction in two world wars, and the TA is making a significant contribution to the current operation in the Gulf—a contribution to which my hon. Friend alluded. All those members of the TA serving in the Gulf volunteered to do so, and I know that the House will wish to join me in thanking them for their selfless contribution to the effort to liberate Kuwait.

The Territorial Army has changed much since its inception as the territorial force in 1908. In the years following the second world war, it retained a peacetime organisation based on complete reserve divisions, but with the end of conscription in the 1960s it became clear that this organisation was no longer appropriate and the divisions were disbanded in 1967.

In the following years a major reorganisation was accomplished to form the basis of the TA that we know

[Mr. Archie Hamilton]

today. Both teeth arms and support units became integrated into the command structure alongside the regular Army and asssumed key roles in major NATO and home defence commitments. Standards of training and equipment were raised, and the TA was moulded into a force with professional standards of which they and we can be justly proud.

It is worth recalling that the Territorial Army has a number of distinct elements. The great majority—over 75 per cent.—are members of independent units. These units are based in their own TA centres, usually in the cities or town, where they train, and they recruit locally. They are supported by their own permanent staff, who include regular personnel, in training and administration.

About 15 per cent. of the TA are members of specialist units. These units are trained and administered by a central volunteer headquarters of their own arm or service, which will be regular headquarters. These volunteers are recruited on a countrywide basis, and usually have a civilian occupation similar or identical to their military occupation.

The home service force to which my hon. Friend referred, is the most recent part of the TA. It was first raised as a pilot scheme in September 1982. That scheme involving four HSF companies and fewer than 400 volunteers, was so successful that it was expanded to 47 companies. These units are recruited locally from those with previous service experience, like my hon. Friend, and I am pleased to say that recruiting over the past year has gone very well, with more than 500 new members.

The Government have always been conscious of the important part that the volunteer reserves play in the defence of the country and we have therefore been committed to building on those improvements. We believe that high standards play a vital role in maintaining the essential public support for the TA.

I remind the House that some 10 years ago when the situation in eastern Europe was far different from what we see today, this Government took steps to increase the size of the volunteer reserves. The TA grew in strength by some 20 per cent. in the early 1980s and throughout that decade the Territorial Army stood ready, on mobilisation, to provide a quarter of the Army's mobilised strength. More than 70 per cent. of the TA has had a NATO role. Formed units of the TA have provided more than 50 per cent. of the Army's infantry and medical support, and more than 60 per cent. of logistic support in the reinforcement of NATO. The remaining TA, including the home service force, has important home defence roles, guarding installations, reconnaissance duties and providing communications. Over this period, the visible strength and effectiveness of the TA made an important contribution to the maintenance of deterrence and the preservation of peace and stability in Europe.

During the 1980s, the TA was re-equipped with much of the most modern fighting equipment used by the regular Army. Its role was also expanded with the creation of a TA helicopter squadron. Another change of significance during this period has been the growth in numbers of female volunteers for the TA, reflecting the much better career possibilities that are now available to women throughout the regular and reserve forces. We will continue to encourage that trend in the future.

I also remind the House that the Government initiated the national employers' liaison committee which, under the leadership of Mr. Tommy Macpherson, has had great success in encouraging major employers to support those members of their staff who wish to serve in the volunteer reserves.

Sir Geoffrey Johnson Smith (Wealden): No Conservative Member doubts the support that my hon. Friend the Minister and the Government have given to the TA and my hon. Friend the Minister has given an adequate account of what has happened. However, my hon. Friend the Member for Ilford, South (Mr. Thorne), who spoke so eloquently, referred to the present. He said that he was extremely concerned about a movement afoot in the Ministry of Defence to indulge in an inquiry that would weaken the TA. That is why there are so many Conservative Members in the Chamber tonight. I hope that my hon. Friend will be able to reassure us about that.

Mr. Hamilton: I assure my hon. Friend the Member for Wealden (Sir G. Johnson Smith) that I will refer to that point later. I am sorry if he thinks that I am trying to duck the issue; I am not.

This initiative has now reached the point where well over half the country's work force have employers who have pledged their support and the process has not ended. Emphasis is now being given to this work continuing at regional level where the smaller employers, perhaps, have an even greater appreciation of how they can gain from the military training that the volunteer reservist receives. Teamwork, self-discipline, self-reliance and clear communication are all of real value in the civilian workplace and provide living proof of the fact that there is a genuine partnership between the reserves and civilian employers. I also express my thanks and appreciation to employers who have shown full understanding of our need to call out their staff for the Gulf operations and this includes not only the volunteer reserves, but those ex-regulars whose engagements include a reserve liability.

Retention is, of course, a key issue in the maintenance of a reasonably experienced and skilled volunteer reserve force, particularly one that seeks to meet the challenges posed by the complex roles and tasks required of it by the modern British Army. At present some 75 per cent. of TA recruits leave within three years of joining, 30 per cent. within their first year. Clearly, this is not satisfactory. We are already seeing signs that the liaison committee's activities are helping in this area, but it is also vital that the TA itself is made as attractive as possible to the individual volunteer. Pay and bounty arrangements are obviously important, and we have introduced several initiatives aimed particularly at helping those who found that, perhaps temporarily, they have not been able to offer the full commitment to the reserves which the training schedules demand. We continue to explore what further improvements are possible and we are about to look, with the help of TA officers who are management consultants in their business lives, at how we can increase the efficiency of our training in the hope that we can both reduce the annual commitment and make the training more fulfilling and enjoyable.

The Territorial Auxiliary and Volunteer Reserve Associations—the TAVRAs—are the regional organisations which have very important functions in administering the volunteer reserves and in advising the

Ministry of Defence. Their committees are composed of individuals with long experience of the TA who willingly give up much of their time in the interests of the reserve forces. I assure the House that their contribution is valued and listened to closely.

My hon. Friend the Member for Ilford, South mentioned the role of the TA in the current operation. Some 570 TA personnel have volunteered to be called out for service during the Gulf emergency. The vast majority are medical specialists, manning 205 general hospital in Saudi Arabia—a vital element in our casualty treatment arrangements in the Gulf. Some hon. Members will probably be surprised that more TA members have not been called out—my hon. Friend mentioned this—and I know that there would have been many more volunteers ready to serve if asked, but the regular Army has been able to meet the vast majority of our manpower requirements for the operation and it is only right that we should look to them first before calling on the reserves.

In opening this debate, my hon. Friend looked to the future of the TA. As one who has served in the TA and has always taken an interest in its fortunes, he will recall that emphasis has been given in recent years to the "one Army" concept, which seeks to underline the fact that the regulars and the TA are not separate armies, but come together and are integrated into one structure at a time of mobilisation. He will also recall that my right hon. Friend the Secretary of State for Defence was able to make a statement to the House last summer—again, he mentioned this—which announced that, in the light of the very fundamental changes which had been taking place in eastern Europe, he was setting in train studies on "Options for Change" for defence. It follows from the "one Army" approach that any examination of the size, role and structure of the regular Army must also look at the contribution to be made by the Territorial Army. However, as we have made clear, the conflict in the Gulf has implications for the options work and it would be quite inappropriate to take final decisions on the size and shape of the Army's front-line forces or the reserves until the lessons of the conflict are clearer—[HON. MEMBERS: "Hear, Hear."] My hon. Friends would not expect me to rule out change in the TA, but I give an assurance that, despite rumours to the contrary, no final decisions have been taken.

However, we are clear that the TA will continue to play a crucial part in meeting our defence needs and that it will retain a prominent role within the Army. We are also confident that the TA will be able to keep abreast of the challenges of developing battlefield technology and to apply its accustomed dedication and enthusiasm in its training. As ever, the size of the volunteer pool will be an important factor in the future of the organisation.

In determining the future roles, account must be taken of the limitations of part-time service offered by the volunteer, but, at the same time, the role must be challenging to the individual. The volunteer's motivation and sense of purpose must be sustained. We are well aware that there are other pressures on the spare time of a volunteer. He must take into account the impact of his civilian employment and the needs of his family. We must understand that the volunteer may wish to pursue other interests in his spare time. We must not, therefore, seek over-commitment to the TA and we must use some ingenuity in balancing the time that we can reasonably expect of a volunteer, seek to use that time usefully, efficiently and imaginatively, and produce the required level of preparedness.

The TA of the future must reflect its name and be truly territorial. There are already many TA centres—over 500 in all—whch give a sizeable presence in every county. We must take account of the existing spread of assets in deciding our future deployment. We must also look at population trends and listen carefully to the advice of the TAVRAs in determining the most propitious recruiting areas.

We believe it to be important that there must be more effective co-operation between the regular Army and the TA. We will be looking to the possibility of developing closer links between regular and TA units which would help the status of the TA.

The support of the nation is fundamental to the maintenance of a viable and well-recruited TA. I have already mentioned the invaluable part played by the national employer liaison committee, which we have decided will run on after the initial five-year period that we agreed in 1988. But it is not only the support of employers that is required. The volunteer ethos must be encouraged and nourished and we must also continue to gain and retain the support of families and peer groups.

I hope that what I have said will show the House that the Government have a high regard for the Territorial Army. I know that some hon. Members who have served in the TA or who have taken particular interest in their local units may on occasion wish us to do more.

While it is too early to say what the future holds, I assure my hon. Friend that we will continue to listen carefully to the many friends of the TA who express their views—as we have heard this evening—with force and clarity. Indeed, I assure the House that we attach the greatest value to the role of the TA as an efficient force, a truly territorial force, and one that plays and will continue to play an essential element in our national defence.

Question put and agreed to.

Adjourned accordingly at sixteen minutes past Eleven o'clock.

House of Commons

Friday 22 February 1991

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Soviet Peace Offer

9.35 am

Mr. Tony Benn (Chesterfield): At the end of yesterday's debate on the Gulf, at 7 pm, Mr. Speaker, I asked the occupant of the Chair whether the Government would be ready to make a statement today. I wondered whether you had been given any information about that. The events of last night have led to unofficial statements by the President of the United States, the Prime Minister and others. Given that so much is at stake, I thought that the Government might have said that they would make a statement today before a decision is made about the Soviet peace offer.

Mr. Speaker: I have received no such indication. I may hear something before 10 am. The Patronage Secretary is present, and will have heard what the right hon. Gentleman has said.

Orders of the Day

Courts (Research) Bill

Order for Second Reading read.

Dr. Mike Woodcock (Ellesmere Port and Neston): I beg to move, That the Bill be now read a Second time.

We in this country are rightly proud of our system of justice and our democratic institutions, which are among the finest in the world. That does not mean, however, that they do not need to change with the times, that they are incapable of change or that they ought to be set in stone. What man does not change for the better, time—that great innovator—will change for the worse.

My modest measure aims to improve both our democratic institutions and our system of justice. It seeks to make improvements, rather than radical changes, and to do so only through measured trial and research. It does not seek change for the sake of change; it seeks change principally because I believe that the passage of time has made change desirable. It seeks to change for the better those things that the great innovator, time, has changed for the worse.

It may come as a surprise to you, Mr. Deputy Speaker, to learn that one of the two major issues addressed in the Bill has never before been debated in this place. Whatever the outcome of today's debate, it is clear that the subjects that it will raise demand parliamentary scrutiny. I hope that the debate itself will provide some of that scrutiny, and that, having listened to what I and others have to say, the House will see fit to give the Bill a Second Reading. Above all, I hope that those who oppose change, and who wish our judicial system to be set in stone, will not seek to prevent further discussion in Committee or to prevent the research, testing, experimentation and trial that the Bill facilitates.

Before I tell the House what the Bill does, I will take the unusual step of explaining what it does not do. Most of the arguments against it seem to be based on grave misconceptions about its intentions. I will deal first with two of those misconceptions. First, the Bill does not seek to introduce television as a permanent feature of our courts; it seeks to do something much more simple—to test the arguments for and against it. The testing of those arguments may, of course, lead to the conclusion that cameras should be allowed into certain courts and for certain purposes, but it may equally lead to the conclusion that they ought not to be allowed into courts in any circumstances. Today's debate essentially concerns whether the arguments for and against television in the courts should be tested—it is not about whether television should be a permanent feature.

Mr. Hugo Summerson (Walthamstow): Surely the ultimate purpose of the Bill is the permanent televising of the courts; otherwise, there would be no point in introducing it.

Dr. Woodcock: That is not true. My purpose is to test the arguments. The televising of the courts is banned by legislation enacted 11 years before commercial television was available. It has not been debated or given a fair trial.

Mr. Andrew Mitchell (Gedling): Will my hon. Friend give way?

Dr. Woodcock: I will when I have answered the last intervention.

I have already said that the experiment on televising the courts may lead to the conclusion that television should not be allowed in the courts.

Mr. Mitchell: I am extremely grateful to my hon. Friend for giving way, particularly given the peremptory way in which I tried to intervene. Is he not being a little unfair to my hon. Friend the Member for Walthamstow (Mr. Summerson)? Many of these arguments were debated when we considered televising the House. There was no doubt that once television was introduced it would stay to cover all our proceedings. Is that not a legitimate fear about the Bill?

Dr. Woodcock: In some respects it is a legitimate fear, but the trials—the Bill does not suggest how the trials should be conducted—will be conducted under the proper supervision of the Home Office, the Lord Chancellor's Department and the presiding judge. They must ensure that the experiments are conducted fairly and reasonably. The trials may conclude that television should not be allowed in our courts. The Bill tests the arguments, nothing more and nothing less.

We rightly say in this country that justice must not only be done but be seen to be done. Anyone who genuinely believes in that principle should not stand in the way of an experiment that would test whether justice can be seen to be done to a greater extent. I have heard arguments against the Bill based on the possibility of the sensational coverage of trials, such as the showing of rape victims or children. Such coverage is prohibited by other legislation and by the rules of court. The Bill poses no danger in that respect.

Mr. Michael Stern (Bristol, North-West): Will my hon. Friend confirm—if not now, then in Committee—that the Bill will not continue the absolute bar on cases involving children? There is considerable concern—not only in my constituency, I suspect—that the balance in cases involving children, especially those involving the sexual abuse of children by adults, is weighted too heavily in favour of the authorities representing the child. That may be redressed only if an adult can be seen to put the adult's case in public, albeit in carefully controlled conditions. I am asking my hon. Friend not to consider making a massive change, but, perhaps at a later stage of the Bill, to consider whether that absolute barrier is appropriate.

Dr. Woodcock: My Bill does not deal with those matters, which should be considered in places more appropriate than this. It aims only to amend legislation to allow an experiment. I wish neither to support my hon. Friend nor to oppose him. Those matters are not within the scope of the Bill.

If television were to become a permanent feature of our courts, it would have to be only for appropriate cases. It should have to conform with tightly drawn rules and always be under the supervision of the trial judge. Television should never be allowed in our courts if it could act against the interests of justice.

The Bill does not remove the statutory ban on the interviewing of jurors. It makes a limited exception to that rule, because it allows the merits of interviewing jurors to be weighed only in approved research projects. I would argue against the unbridled questioning of jurors, but I am not saying that jurors should never be questioned for any purpose. However, the purpose of the Bill is not permanently to introduce television in our courts or to facilitate the unbridled questioning of jurors.

The Bill aims to modify statutory restrictions which, in absolute terms, are no longer justified and are not in the interests of an open system of justice. I refer to section 41 of the Criminal Justice Act 1925, which prohibits photography in courts, section 9 of the Contempt of Court Act 1981, which prohibits sound recordings in court, except for the purposes of assisting the official written transcript, and section 8 of that Act, which prohibits the interviewing of jurors. The Bill would amend the law in England and Wales not by removing those restrictions but by making certain and limited exceptions to them to permit approved pilot projects and research.

The Bill would enable the arguments for televising the courts to be tested in strictly controlled conditions. It would allow the resulting evidence to be assessed before a final decision was taken on whether court proceedings should be permanently broadcast. We cannot rightly take that decision without the evidence. My Bill seeks to introduce and weigh that evidence.

The Bill would enable the merits of interviewing jurors for approved research to be weighed to see whether the administration of our criminal justice system could be improved and the task of jurors better facilitated.

The background to the proposal to televise the courts begins in 1988, when the public affairs committee of the Bar Council established a working party under the chairmanship of Mr. Jonathan Caplan. Its objective was to report on the desirability and feasibility of televising court proceedings in England and Wales. It took a year to complete its task, during which time it assessed the position in other countries, visited the United States to see the televising of state courts, and liaised with broadcasters, lawyers and other interested parties here and abroad. It found that in Australia, Canada, France, Italy, the Netherlands, Norway, Spain, the United States and the European Court of Human Rights, there was some—albeit limited—experience of televising court proceedings.

The working party's report was published in 1989 and covered four matters: first, the background to the parliamentary ban on court photography, which was enacted in 1925; secondly, a countrywide analysis of the televising of courts; thirdly, the arguments for and against televising courts; and, finally, an assessment of recent technological developments and discussion of how television in the courts might be arranged on a strictly controlled basis.

The report presented eight principal conclusions. First, the absolute ban on cameras was no longer justified. Secondly, pilot projects in appellate and trial courts should now take place, but only under the aegis of the responsible departments—that is, the Lord Chancellor's Department and the Home Office. Thirdly, potential broadcasters must apply in each case to the trial judge or the court for permission to cover the proceedings. Fourthly, the trial judges should have the discretion to allow or refuse applications, but refusal should be subject to the right of appeal.

The report's fifth conclusion was that, even if the application were allowed, the trial judge would retain the power to exclude the camera from any part of the proceedings if he felt that it was right to do so in the interests of justice. The sixth conclusion was that any such exclusion during the trial should be subject to the right of appeal but that the proceedings should not be delayed while the appeal was in progress. Penultimately, the report concluded that broadcasters should be subject to strict rules of coverage inside the court regarding what they may or may not film and the manner in which they film it. Finally, it suggested that, like the printed media, televising should be subject to the law of contempt so that only fair and accurate reports of proceedings made in good faith could be published. *[Interruption.]* Does my hon. Friend the Member for Gedling (Mr. Mitchell) wish me to give way, because I can hear a great deal of what he is saying?

Mr. Andrew Mitchell: No, not at the moment.

Dr. Woodcock: In February 1990, the Bar Council universally endorsed the report's recommendations for pilot projects in courts. It then decided to seek an amendment to the law to enable such projects to take place. In September 1990, the annual conference of the Bar Council organised a workshop in conjunction with the Canadian Bar Association, at which English, American and Canadian judges debated the issue of the televising of court proceedings. At that workshop, there was widespread support for such pilot projects.

Many people support the principle of televising courts and there are many arguments in favour of it. I shall advance 10 of the principal arguments this morning. Many more exist, but I do not wish to detain the House too long and I wish to give all hon. Members who wish to speak the opportunity to do so. I also hope to give other hon. Members a chance to introduce their Bills today.

To date, the experience of laywers abroad in jurisdictions where televising courts is allowed has been overwhelmingly favourable. Technology has advanced so

much in recent years that it is possible to achieve broadcast quality without intrusive apparatus. Furthermore, very few people have the time, resources or will to attend trials, even assuming that the courts could accommodate them. The vast majority of people rely for their understanding of what happens at trials on second-hand reports in the media, on television, on reporters speaking to cameras outside courts, on dramatic reconstructions and on the notorious artist's sketch which must be made outside the court and from memory. In essence, those are second-hand reports of what happens in court and they are no substitute for personal observation. Provided that it is in the interests of justice, it must be right that people should be given the maximum opportunity to see justice in action.

The ban on photography in courts enacted in 1925 was never intended to apply to television. It concerned sensational still photography. The briefing note that was given to Ministers at the time of that debate said that the "object of this clause is to prevent the objectionable practice of publishing sensational photographs of prisoners in the dock, in court or leaving court".

At the time of that debate, television was not available. The first BBC television service was not launched until 1936 and it was not until a year later that the first outside broadcast took place—the coronation of King George VI. The 1925 ban was simply extended to television without debate once television became available. That extension was an unforeseen consequence of the 1925 legislation. In reality, Parliament has never had the opportunity to consider the issue of televising our courts. I believe that it is unreasonable to have an effective ban on cameras in court when the issue has never been debated in this place. Unlike those in some countries, our courts are not televised not because the issue has been properly considered but due to an unforeseen consequence of previous legislation.

A further reason for the introduction of cameras is that television is now by far the most important news medium. More than 70 per cent. of the population rely on it as their principal source of information on current events. It must surely be questionable to ban the use of a medium on which such a large proportion of the population rely. It is important that people should have confidence in our judiciary and legal system, and that can best be achieved by allowing the public to see judges, lawyers and the police at work and to see how courts make their decisions. Many court rulings, particularly High Court and appellate court rulings, are as important to daily life as the legislative decisions that we make in this place. Why should the public not be able to see how decisions are made when those decisions have a profound effect on their lives?

Television has an informative and educational value, which would be enhanced if it were allowed into courts. Many young people have never been into a court room. For them to see justice at work would increase their respect for legal processes and the rule of law. Moreover, if the camera were allowed into criminal trials, potential offenders might be deterred by what they see on television. If we are concerned, as we should be, to educate and interest young people in the workings of the legal system, it is absurd to ignore the most popular medium of mass communication.

We should also consider the fact that we now have television in this place and in the other place. Most people outside now regard the televising of Parliament as a success. Many arguments were advanced against televising Parliament and they are principally the same arguments as those that may be advanced against the televising of courts. Many hon. Members who were originally opposed to televising the House now accept that it has been beneficial. The other place took a lead in the experiment and I hope that this House will take a lead in the televising of courts. The public has a prima facie right to see how laws are made and administered. The televising of courts in the appropriate circumstances can make that right a reality.

The televising of courts may raise standards by highlighting inefficient procedures, shaming inarticulate advocates or unfair judges. It could open up procedures and practices to more public gaze, thus increasing pressure for higher standards.

Finally, and perhaps most importantly, the principle that justice should not only be done but be seen to be done means that there is a presumption in favour of open justice. Unless courts are sitting in camera or in chambers, they are not private places. By their very nature, they are open to the public and must be so if justice is to be seen to be done. In reality, the space available in the courts means that they are open to only a few people. A limit is imposed not by principle but by the space available. Therefore, allowing people to see on television what they could see if they could attend extends the principle of open justice. That must be right, provided that it does not interefere with the course of justice.

Those are the principal arguments for televising our courts and a spacious case based on those arguments could be made for changing the law now to allow cameras in certain courts. I do not seek to make that argument and neither does my Bill. I am not suggesting that those arguments are conclusive; my Bill merely removes the restrictions that prevent those arguments being put to the test.

Some people are deeply suspicious of what would happen if we allowed television cameras in our courts. Some believe that television, by nature, is more concerned with entertainment than with education. Others believe that television would trivialise court proceedings. Some of that may be true, but entertainment is not the only function of television—it also has an educative and informative function. The American judge Justice Moore recently said:

"That which is carried out with dignity will not become undignified because more people may be permitted to see and hear it".

Others argue that television can be obtrusive and disruptive. The television cameras that may be recording you, Mr. Deputy Speaker, and me at this moment are so diminutive as to be scarcely noticeable. Cameras of that type could be used in our courts.

Perhaps the most important argument against allowing television cameras in our courts is that they might deter potential witnesses from attending or might affect their testimony in some way. If that happened, I would not support televising our courts and would consider them only for the appellate courts, where witnesses do not appear. However, the evidence from most countries that have experimented with cameras in the courts does not support that argument.

In the late 1970s, the supreme court of Florida authorised a one-year experiment in televising all its state courts. During that year more than 2,750 people took part in televised trials either as the judge, attorney, juror,

[Dr. Woodcock]

witness or court official. All were asked to provide a report of their experience and to complete a questionnaire. The principal results of that experiment showed that the presence of the camera had little effect on the dignity of the proceedings. It was found that the presence of cameras disrupted a trial "not at all" or "very slightly". The participants' awareness of the camera averaged between slight and moderate. Jurors and witnesses thought that the presence of the cameras made them feel slightly more responsible for their actions and the ability of jurors to judge the truthfulness of witnesses was not perceived to be affected. Jurors deemed that they did not find that the cameras had a distracting effect, while witnesses and attorneys found that that effect was only slight. There was no significant difference in participants' concern about appearing on television as opposed to their names appearing in newspapers. The court personnel and attorneys perceived that the presence of cameras made participating attorneys' actions only slightly more flamboyant. The evidence from Florida suggests that the presence of cameras does not adversely affect the quality of justice or distort the legal process.

In 1981, after the conclusion of the experiment, the supreme court of Florida put the argument for televising courts most succinctly. It stated:

"Courtrooms were intimidating long before the advent of electronic media. Trials with considerable public interest had always resulted in courtrooms full of spectators, news reporters and sketch artists, all of whom add to the intimidation of the courtroom atmosphere. In our view, the single addition of the camera in the courtroom in these circumstances should not increase tension significantly, given the fact that electronic media will report the proceedings whether or not its camera is actually in the courtroom."

I do not seek to rely on the conclusions of the Florida experiment, but we should test the arguments for televising our courts in the same way as they were tested in Florida. Whatever the outcome, it is clear that some trials would not be suitable for inclusion in the pilot projects that would result if my Bill is passed. Whatever pilot projects were allowed, they would have to be subject to serious restrictions as to what could or could not be filmed.

Mr. James Arbuthnot (Wanstead and Woodford): I am grateful to my hon. Friend for the great care that he has taken to try to persuade me that his Bill is right in the first place. My hon. Friend has just referred to electronic media reporting a trial in any event, but he will agree that that would not apply in this country. I do not know whether there are radio broadcasts of proceedings in Florida, but I do not see how that argument applies here.

Dr. Woodcock: I am not seeking to use the evidence from the Florida experiment to try to persuade hon. Members that our courts should be televised. I simply mentioned that experiment to show that it is possible to undertake such an experiment and to judge the results. I believe that we should undertake similar experiments and then decide whether to televise our courts on the basis of experience. I mentioned the Florida experiment merely to demonstrate that it is possible to have trials and to come to conclusions. I do not suggest that our conclusions would be the same as those reached in Florida.

Even if pilot projects were undertaken, however, they would have to be subject to serious restrictions. One might state that there should be no visual coverage of the jury or of any witnesses whose identity is protected by law. It might be decided that there should be no visual coverage of any person if such coverage is liable to endanger his safety. It might be decided that there should be no coverage of proceedings in chambers, in camera or in respect of any order under the Contempt of Court Act 1981. It may be decided that no visual coverage should be given to documents or to the advocates' benches. Any conferences in court between lawyers and clients might be exempt from audio coverage.

I do not suggest that those restrictions should necessarily be applied in this country—I am merely suggesting the type of restrictions that could be considered. My Bill does not propose any such restrictions as I believe that they should be drawn up by the proper judicial authorities.

The Bill does not propose that television should be a permanent feature of our courts. It does not specify the type of court that would be suitable for any experiment or the restrictions to be applied. It merely facilitates the testing of the arguments for and against as a result of well-managed and constructed experiments. Such experiments could be undertaken only by making exceptions to section 41 of the Criminal Justice Act 1925 and to section 9 of the Contempt of Court Act 1981.

My Bill does not argue for a permanent change in the law, but merely for the opportunity to test the arguments for and against televising our courts under strictly controlled conditions and judicial supervision. The real arguments for and against televising can then be considered on the basis of objective evidence—the same evidence that the courts seek when deciding on the facts and cases before them. That evidence is not available today. Those hon. Members who regularly practise in our courts should not deny to people wishing to see our proceedings televised the same trial of evidence that they demand in courts when using those courts on behalf of their clients.

The second and equally important provision of the Bill relates to jury research and would allow carefully controlled research on how juries reach decisions. In 1981 Parliament prohibited all interviewing of jurors about their deliberations in the jury room. Hon. Members will recall that that prohibition was imposed after some sections of the press probed the secrets of the jury room in certain celebrated cases. The main principle behind that ban was correct, but unfortunately it has had some undesirable consequences. By preventing the improper questioning of jurors, we have also prevented the questioning of jurors for proper purposes.

My Bill does not alter the rules against publicising how a particular jury voted or approached its task in a particular case, but it attempts to enable approved research to take place—always without publicly identifying particular trials. The Bill would facilitate the interviewing of jurors for certain specified and approved research projects only.

The jury is the cornerstone of our criminal justice system. It is important for us to consider, for example, how jurors might be aided in their task and how well juries follow the evidence. Do juries in particular cases feel that the legal issues have been put into simple and clear focus? How important is the judge's summing up at the end of a trial? How does a jury feel that its task might have been made easier? In effect, how could justice be done better? Those are just a few of the possible questions. We do not

know the answers because we are not allowed to ask the questions. Are juries to be the only institutions deemed incapable of improvement? We should constantly seek to improve and refine our system of justice, but we cannot do so if we are not allowed to ask relevant questions.

That point becomes even more important as jurors are asked to grapple with increasingly lengthy and complex fraud trials. The present Lord Chancellor, when he was Lord Advocate, said:

"The jury system, great institution that it is, surely can stand up to properly conducted research."

If the motive of those who are against interviewing jurors is that we may be disturbed by what we discover, the sooner we lift the veil from the jury room, the better. If there is something fundamentally wrong with our jury system, we should expose it and correct it rather than try to conceal it.

We have an excellent legal system in this country. It is the envy of much of the world, but that does not mean that it is incapable of improvement. The jury is the cornerstone of British justice, so we must constantly ask whether we can improve the operation of the jury system. Our courts cannot and should not be set in stone. Their efficiency should be tested. As with any other institution, their operations should be improved wherever possible. We are all proud to live in a free, democratic country, but we need to do more than simply proclaim that fact. All that is required for evil to prevail is that good men do nothing. There is a responsibility on all of us constantly to seek ways of updating and improving our democratic system, including our courts.

I present to the House a Bill which has at its roots the aim of improving the British judicial system. Its aim is to make the judicial system more open. Open justice, like open government, is desirable and achievable. My Bill will change nothing of itself—it will merely allow questions to be asked, trials to be made and arguments to be weighed. It will allow a fair trial of the evidence, just as the courts seek a fair trial of the evidence in the cases that they try.

As I said at the beginning of my speech, this is a modest Bill, but it is a good Bill which deserves the support of the House. Just as there needs to be a trial of evidence in our courts, there needs to be a trial of evidence about our courts. I hope that those hon. Members who support proper trials of evidence in our courts will not try to prevent a proper trial of evidence about our courts.

We owe it to our electorate—70 per cent. of whom rely on television as the main source of their information on current affairs and any of whom may be called to serve on juries—to test whether our courts can be made more open to them and whether their potential task as jurymen can be better facilitated. That is what my Bill would achieve—and nothing more. I ask hon. Members to bear that in mind. It is a good Bill which deserves a Second Reading.

10.14 am

Mr. Ivan Lawrence (Burton): Of course, I declare my interest as a practising criminal lawyer, but my interest probably moves in two ways. The Bill has been backed by my trade union, the Bar Council. It is in favour of the Bill; I am not. Therefore, one can see that the declaration of my interest does not necessarily diminish the strength of my argument.

This is an excellent topic for debate, particularly on a Friday. I take very much to heart the fact that my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) pointed out that the subject had not been discussed and aired before in the House. I believe that it should be and I pay great credit to my hon. Friend for introducing this important Bill.

I hope that my hon. Friend will not think me even remotely patronising when I say that his case was excellently argued. If ever he gave up this place, he would have an excellent future as an advocate in our courts—whether he would want to be an advocate after these experiments have been concluded is a different matter. I am a little sad that my hon. Friend has not put his undoubted ability and talent to use on a Bill with more chance of securing wide support throughout the country and one that would do more to benefit British society. I am afraid that the Bill, if it ever reaches the statute book, is unlikely to do that. If one were to test the amount of interest that this important subject commands among all groups of opinion in this place, one need only look at the serried ranks of interested people on the other side of the Chamber.

My hon. Friend argues, beguilingly, that justice should be more widely seen to be done. I agree, but not if justice is to be turned into a media circus, for the harm done to justice by that step would far outweigh any good that would come. If people want to see the courts at work, they have only to go there. If they want to read what goes on in court, they have only to read the newspapers and the books. Plenty of evidence is available. There are few occasions when one cannot get into the public gallery of a court.

It is true that there are some sensational trials on which public attention is riveted because they involve particularly titillating sexual matters, with connotations of great interest to the public, or child abuse, murder or serious personal issues. But those are precisely the trials in which my hon. Friend envisages tight controls and exclusion. The cases that he believes should be televised are cases where members of the ordinary public, if they are interested in the way in which our legal system operates, would have no difficulty in getting into court.

My hon. Friend said that television would foster a better understanding of the legal process. I have no doubt that it would, but there is no point in that happening if the legal process is made worse by the measure. It is more important that the legal process should be good than that more people should see a less good legal process in operation. All one needs to do to understand the legal process—if it is possible to understand it—is, after reading the books, to go to the courts, which are open to all.

My hon. Friend said that television would create confidence in the legal system. It might, but it might not. If it becomes a worse system, confidence would be diminished. If it became a worse system because television was in the courts, it would weaken public confidence, not strengthen it. My hon. Friend said that the system would be rather like the televising of Parliament, which has turned out not to be so bad, although there are differing views about that. That is a thoroughly bad argument. Parliament debates issues, not the private lives and thoughts of individuals.

Parliament exposes its participants to television because they want and are prepared to be exposed to it. It is a voluntary process. If we did not want television, we should not have it here. If we do not like appearing on television, we need not speak. Will the defendant, the witness, the counsel or the jury have any choice once

[Mr. Ivan Lawrence]

television is brought into the courts? At the beginning of a trial, will the counsel, the potential witnesses, the jury and everyone involved be asked whether they are happy to have a television camera in court? If so, our courts will never be televised and the Bill will have been a total waste of time. If not, televising will be obligatory if the judge considers that it is proper. That is very different from what happens in this place.

The most important point made by my hon. Friend the Member for Ellesmere Port and Neston is that the Bill is intended only as a trial, an experiment, a pilot scheme, an approved project and research. He said that it was a "modest Bill" and merely a test. Anyone who believes that that is all that the Bill intends must be very naive. No television company would invest substantial sums of money in pilot schemes, approved projects, tests and research unless it hoped that the benefits would redound in the company's coffers.

There are two types of television company. One is privately owned and funded, and has shareholders who wish to know whether the money being invested—and money was very expensively invested in this place as it would have to be expensively invested in the courts—is producing a reward. The second type of company is subsidised by the state and paid for by the taxpayer. The taxpayer is also concerned that there should be a reasonable return on his investment. Both types of company have a financial interest in the success of projects. They must satisfy their shareholders or the taxpayer.

Once a pilot scheme has been set up, at considerable cost, the pressure will be on for permanence. That is the true comparison to televising Parliament. I remember the arguments about the pilot scheme for televising Parliament. We asked for a test, a modest pilot scheme, —a properly controlled and properly researched scheme. Once we had that, we had permanence. There was no going back after that approved project and research. We are the volunteers who live by the performances that we give. We are actors, prima donnas, ballerinas and public performers so we took the media to our heart. We thrived on it and so the scheme has become permanent. What was once a pilot scheme and a research project—a properly controlled experiment—has become permanent.

My objection to pilot schemes, approved projects and research is that they are the thin end of the wedge. They are the most slippery of slopes. If the experiment failed, it would be the most costly waste of money for which we, the shareholders and taxpayers, would have to pay.

Mr. Peter Bottomley (Eltham): It is interesting that some of those arguments were used in this House to keep people out of the Strangers' Gallery when people were sent to prison for publishing reports. Such arguments are a diversion from the points made by our hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) in his powerful advocacy. I know that my right hon. and learned Friend the Solicitor-General agrees. The question is whether the Bill would help justice. Knowledge of what happens in our courts is outside the experience of two thirds of the population. It is not a question whether it costs a bit of money or whether, if people get used to it, it will continue, but whether it will help people to understand what justice is and whether that information will help justice in the round.

Mr. Lawrence: My hon. Friend is too impatient. I shall address that point. The issue to which he referred in his question is not whether the experiment would be of educational interest to the public, but whether it would lead to an improved system. They are the two important central items in the argument.

I do not wish to rubbish the arguments used by my hon. Friend the Member for Ellesmere Port and Neston. I believe that my counter arguments add up to a pretty strong condemnation of the Bill. But the Bill gives rise to far more worrying matters, all of which would have to be dealt with by my hon. Friend, by the Bar Council and by those who support the Bill. None of those worries has yet been answered satisfactorily. They may be dealt with during the debate, but none is likely to receive a satisfactory answer.

How would my hon. Friend the Member for Ellesmere Port and Neston guarantee that our courts of law were not turned into media circuses? Television is for the entertainment of the masses. That is its principal purpose and its raison detre. Education is the price that television companies pay for entertainment. No television channel could afford to run on education alone, so how would my hon. Friend guarantee that the court would not be turned into a place of entertainment? How would he ensure that the participants would not be merely players, with their heartbreaks, their peccadillos, their hatreds, their jealousies, their meannesses, their dishonesty, their violence and their insensitivities exposed for the ghoulish and lascivious to see? The cinema-goer goes to the cinema to see those elements portrayed and the theatre-goer goes to the theatre to be excited by the performance and the show of those elements, which are part of society and of the way human beings behave. The courts would become another cinema, another theatre, another place where the weaknesses and frailties of humanity are exposed for all to see. Is our legal system to be so trivialised and degraded by television?

Even if I am wrong, or if it is thought that that could never happen or that it would not matter if it did, I draw attention to the harm that could be done to the judicial process by the television camera. Let us consider the effect on witnesses. It is difficult enough to persuade witnesses to come to the criminal courts to give evidence, for all sorts of reasons; they do not like being identified or they do not like being known as someone who has given evidence against someone else as they have to continue to live in their own community. They are reluctant to give evidence. One of the reasons why guilty men go free is because of inadequate evidence when witnesses will not come forward.

Mr. John Fraser (Norwood): And perhaps because of the hon. and learned Gentleman's help in representing them.

Mr. Lawrence: That is another reason, but all those whom I have defended who have gone free have been innocent and so the court has decided.

Witnesses who come forward are often unable, through fear, to take the oath properly. Will that fear be lessened if they know that television cameras are on them? What will happen with the witness who does not want his private

life, his idiocies, his idiosyncracies or his dishonesties exposed not for 50 people in a court to see or for 50,000 people to read about in a newspaper, but for 10 million people to see on television? Will such people want to come to give evidence? If they give evidence, will they have to fear that when they go back to Acacia avenue in their suburban part of the great city, all their neighbours will be at their windows, pointing and waving, and saying, "There is the liar" or "There is the grass" or "There is the cheat" or "There is the dishonest person" or "There is the two-timer" or "There is the person who could not give a straight answer to a straight question."? Yes, the show-offs would love such an experience. The witnesses who go to perform in a court of law would welcome the cameras. But what is the use to justice of such witnesses?

Mr. Arbuthnot: I entirely agree with my hon. and learned Friend's present argument. However, one point troubles me and it has been raised by my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock). In America, it has been suggested by various questionnaires and polls that witnesses may not have been put off by this procedure. I am wary of those questionnaires and polls. Would my hon. and learned Friend comment on that?

Mr. Lawrence: I shall come to that a little later. I do not think that comparisons with other countries can be made easily, especially not with the United States. My hon. Friend the Member for Ellesmere Port and Neston referred to the Florida experiment and he said that one conclusion was that television had little effect on the dignity of the proceedings. How much dignity is there in the proceedings of an American court of criminal law? Anyone who goes to America and watches how criminal justice is dispensed in many criminal courts there would not wish to see that here. Comparisons are not easy. Many of the ideas have not been tested. The Florida experiment and somebody else's experiment have produced many conclusions. We cannot confirm such conclusions because we have not carried out such an experiment. My hon. Friend the Member for Ellesmere Port and Neston called for such an experiment, but, because we have not carried it out, we cannot compare and criticise with the care that may be required. We cannot assume that the American experience is evidence on which we should base changes in our society. I have merely touched on the effect on witnesses as I do not want to take up the time of the House unnecessarily.

Let us consider the effect of television on jurors. They would have television lights and cameras on them all day, every day. When we started the experiment here, we were told that it would have no effect on the lighting because modern cameras were so good that they would not require brighter lights. Hon. Members should look at it. I am not complaining, because one tends to get used to it. However, there is no doubt that cameras and lights—and I have seen them in American courts—are obtrusive and they would be focused on the jury all day every day. It is no use saying that juries would not notice that intrusion into the courts.

Mr. David Evennett (Erith and Crayford): Does my hon. and learned Friend agree that most people who go into court for the first time are wholly unprepared for the surroundings with which they are presented? The lights are a trivial matter for the jurors, who may be going into a court of law for the first time, or for the witnesses. There are many more important issues than the cameras or the lights for anyone going into a modern court of law.

Mr. Lawrence: But why make it worse? Why increase the number of distractions? Why increase the number of obstacles to the pure concentration on the facts of the case on which the jury has to come to a verdict?

Jury men may be frightened of being identified and, in serious cases, of being followed, of being attacked, of being threatened or of their families being threatened. It is precisely because of threats and fear that we do not have juries in the Diplock courts in Northern Ireland. I am sure that my hon. Friend the Member for Ellesmere Port and Neston would say that we should not have television cameras in courts in Northern Ireland and that such courts would be excluded from a research project or from a narrow test. However, the line has to be drawn at some stage. Jury men are sometimes frightened when they have no reason to be, simply because it is a criminal trial and not because it is a case involving violence or because a substantial sum is involved. It might not be a case in which jurors were justified in fearing what might happen to them. If jurors fear what may happen to them, a disservice is done to jury trials.

We say to jurors—and this is an important part of our criminal system—"When you go home tonight, be sure not to discuss this case with anybody because if you discuss it with somebody who has not heard the witnesses and seen the evidence, he may influence your mind and your thinking. It will be unfair and unjust because he has not heard the whole case." Juries nod in agreement because they see the sense of that. When they go home, they do not discuss the case with their families and their friends. However, if we televise a case and if we put it on the news at 9 pm or 10 pm while the family and friends are gathered around and saying , "My God, was that your case? Look at that liar. Look at that man's face. Could you honestly believe a word that man said? Well, I know what I think about it", it will become almost impossible to be able to send juries home at night. The risks of such discussions taking place would be great. If we had to send jurors to hotels every day that they were involved in a criminal case —which could go on for days, for weeks or for months —it would interfere with our jury system. The alternative is to expose the system to the ill effects of people outside being encouraged to influence the decision to which the jury will have to come, although those outsiders have not seen the evidence. Surely the effect of television on the jury is the strongest argument against televising our criminal trials.

Mr. Fraser: What is the difference in principle between the jury in a case that is well publicised in the popular press, such as the Ripper libel case or the Jeffrey Archer libel case, and a jury in a case that may have some television coverage? I can see that there may be difficulties, but what is the difference in principle?

Mr. Lawrence: There may be no difference in principle, but there is an enormous difference in practice. I suggest that a television camera on the face of a witness may form several seconds or even minutes of television time later in the evening. People around can say, not from having seen a "mug shot" or from having heard a report, but from

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seeing the man or woman giving evidence, "There's a liar," or "There's an honest person." The practical effect is far more considerable.

Television cameras will have an effect on juries and on witnesses, which answers the point made by my hon. Friend the Member for Eltham (Mr. Bottomley) about what harm television would do to a criminal trial. What about the effect upon lawyers?

Mr. Peter Bottomley: My hon. and learned Friend is advancing arguments in the way that advocates usually do. He has described what he thinks may be a risk and he has said that there will be effects upon jurors. However he has not demonstrated that there is an effect. One of the arguments for a trial period is to judge whether there is. For example in the Archer and the Ripper libel cases there was massive television coverage from outside the court, giving an interpretation of what was happening. We should be slightly more generous about the skills of the listening and reading public, as they can interpret for themselves what reasonably paid reporters would otherwise interpret for them.

Mr. Lawrence: As regards my hon. Friend's latter remark, when the House was to be televised it was argued that it would be better if people could see what was being discussed in the Chamber, live, as there would be no need for all the awful studio interviews afterwards, when people advanced arguments but no one had seen what took place in the House. What has happened? Snapshots of debates in this place appear, followed by hour after hour of studio interviews. Therefore, we will not avoid a reporter standing outside the central criminal court with a television crew, or discussions of the case afterwards with solicitors, barristers, witnesses or defendants merely because there is television in the court. Obviously I am not arguing my case very persuasively and so I shall repeat it again—there will be an adverse effect, as the proceedings will be filmed and people will be able to form judgments about the behaviour of a defendant, a witness giving evidence or of an advocate. Witnessing their behaviour affects the viewers' thinking. I cannot pull rank upon my hon. Friend the Member for Eltham, but I have been practising in the courts for 29 years and I know how important appearance and judgments based upon a person's behaviour may be. They have an effect upon counsel, and I am sure they have an effect upon juries.

Mr. Michael Brown (Brigg and Cleethorpes): I must advise my hon. and learned Friend that two minutes ago I received a message to telephone BBC Radio Humberside to talk about my speech during the debate on the Bill today. I suggested to Radio Humberside that since the House is broadcast on radio it would be able to carry the exact words that I uttered in my speech if it waited. However it was intimated to me that that was not quite what was wanted. The radio station wanted an interview about what I intended to say. As a result of broadcasting the proceedings of the House people do not merely get the live debate. Radio Humberside will not plug in at 11.15 am or 11.30 am, or whatever time you call me, Mr. Speaker, and interrupt its programme to broadcast my speech live. Will not that also be a danger with witnesses, lawyers and all the other assistants in a courtroom drama? The media authorities may approach them in the morning for a line on what they intend to say. Consider the problems that that poses for contempt of court.

Mr. Lawrence: I am not at all surprised that my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) is considered to be a media idol in Humberside, or anywhere else, and that he is in constant demand. What frightens me is that my hon. Friend might turn his talents to being an advocate if we televise the courts and the media would have an even greater chance to publicise his great abilities. That brings me to the point that I was about to make—the effect of televising the courts would be to make lawyers media heroes. The defendant might well decide upon a media hero to defend him—a famous man, such as Michael Brown perhaps. The defendant might say, "I don't want Ivan Lawrence because he's not a media hero. I want Michael Brown to defend me." Michael Brown may be much better than Ivan Lawrence but he may not be. He may be chosen merely because he is a media hero. The effects of television upon advocates' performances in the United States of America can be seen. The US advocate —perhaps this was true before television but it is even more true now—has a flashy suit, a flashy smile, has probably been to an orthodontist to have his teeth straightened and has great charm——

Mr. Peter Bottomley: What about stiff collars?

Mr. Lawrence: I shall come to them in a moment. The US advocate has a flashy presence and a flashy argument and that might not be good for justice.

Yes, stiff collars are important. The reason why barristers dress up in silly clothes with wigs, stiff collars, bands and black gowns is so that they all look more alike. Instead of concentrating upon the personality of the advocate one tends to concentrate upon the personality of the defendant—the victim and not the messenger. If one does away with wigs and collars, people will identify the advocate more easily and he will become more of a media idol. Our justice would not be as centred upon the accused as it is in the British courts at present.

Mr. Evennett: My hon. and learned Friend's arguments are powerful and interesting. How does he react to the present reporting on the BBC news at 9 o'clock or the ITV news at 10 o'clock, when people describe the very things that he denigrates television for showing, because he says that it highlights them, such as people's style of dress and so forth? Also how does he view artists' impressions, which take away people's right to judge for themselves what is going on in the courtroom. Instead they are fed the views of reporters on the news.

Mr. Lawrence: I am dealing with the effects of television upon participants in a trial and not its effects upon the public. The public may see a sketch of counsel in court but that does not affect the jury man. However the jury would be affected if the public were to see moving pictures of the way in which witnesses behave, because friends and relatives would then gather round and tell them their views. There is a difference.

My hon. Friend the Member for Brigg and Cleethorpes, the matinee idol, who I notice is no longer in the Chamber —perhaps he has gone off to perform yet again——

Mr. Evennett: He is a star.

Mr. Lawrence: Yes, he has gone to star in some other medium. He might make it more difficult for someone like me to get a look in, in the courts of law where I have to practice. I see that he is over at the other end of the Chamber, and that makes my point. My hon. Friend the Member for Brigg and Cleethorpes is doubtless sitting there because of his knowledge of how television operates in this place. He realises that one particular camera over there, angled across the Chamber, captures him at his best, whereas here, beside me, the cameras are at the wrong angle and catch him full frontal. That is precisely what someone who wants to perform well on television will have in mind. The advocate may want to stand here on the other side of the red line—[HON. MEMBERS: "Out of order."] —rather than here on this side, and that would be out of order. I am talking about that sort of distraction. Advocates, juries and witnesses must consider the effects of television upon the defendant.

The defendant may think that the world is looking at him and if the cameras are there, it will be because it is an interesting trial and much of the world may well be looking at him. He will be stigmatised as never before because millions of people will see him and be able to identify him. Every television viewer and jury man arguing for or against his case will have the defendant's face in his mind and the arguments will continue long after the case is over.

In our criminal courts 50 per cent. of those who plead not guilty are acquitted. They are found to be innocent according to our system. They should be expunged from the record. Can we imagine the stigma caused by a false accusation, which was found to be false, when the face of the innocent man who was wrongly accused was seared into the memory of millions of people? People would continue after the case to dispute whether the acquittal was justified.

My hon. Friend the Member for Ellesmere Port and Neston referred to John Bodkin Adams. How many people would have ignored Adams in the street five, 10, 20 or 30 years after his case if the case had been televised? People in Eastbourne would not have done that, although people in Crawley might have. People in Sussex and elsewhere in Britain would have recognised him. The courts found Adams innocent, but if the proceedings had been televised, his life would have been destroyed. Everyone who had seen the televised proceedings would have pointed a finger at him. People would have said that he was wrongly acquitted because of the excellence of his counsel or because the prosecution evidence was not good enough or because a prosecution witness lied. They would think that he was guilty and had murdered many people. What kind of justice is there in a society in which that can happen? That will happen if there are cameras in our criminal courts.

Mr. Nicholas Soames (Crawley): Is my hon. and learned Friend aware that our late and greatly lamented friend Ian Gow, the former hon. Member for Eastbourne, was regularly mistaken for Dr. Bodkin Adams even though that trial was not televised? Is he also aware that although Dr. Adams used to send our late friend £5 at every general election for the Tory party fighting fund, which used to cause our late friend great embarrassment?

Mr. Lawrence: I did not know John Bodkin Adams, but I did know our great and revered friend. Dr. John Bodkin Adams would have had to have been a very great man to match up to the calibre of Ian Gow.

If a defendant in a criminal trial is subjected to public attention in the way that I have described, would that be justice? Would it give justice a chance? Should it be weighed equally in the scales with the benefit of improving the interest and understanding of our legal system?

The defendant does not exist for the legal system—the legal system exists for the defendant and to ensure that there is a fair trial. Television would not necessarily make trials fair or honour reputations after a trial. The Bill would allow a pilot scheme and research, but that pilot scheme and research would reveal that it would be well nigh impossible for rules of court or any other rules to keep adequate control over the way in which the televised material is broadcast.

A momentary look of disbelief on a judge's face might be broadcast later on the "Nine O'clock News" or "News at 10". No one could prevent that. From day to day there are inadvertent outbursts of inadmissible evidence in our criminal courts. The judge must decide whether the trial should continue or to stop it and so waste the court's time and the hundreds of thousands of pounds that the case has cost. The judge can decide that there was simply a moment's inadvertence which during the course of the trial will be forgotten. However, if that moment is enshrined on television and the point is seared into the minds of the jury men who may watch the broadcast later that evening—and if the moment is recorded on video and is seen on many occasions—how can proper control be exercised over such inadvertence? What expense, catastrophes and calamities might occur if trials are stopped and restarted, involving the agonies for witnesses and defendants simply because of inadvertent televising over which no one has control?

Any control would be imperfect and expensive—*[Interruption.]* I noticed that the Chamber is filling up although I suspect that that is happening not through interest in this Bill or support for it, but for other reasons.

My hon. Friend the Member for Ellesmere Port and Neston said that rules could be made to ensure that there is no visual coverage of the jury, of witnesses, of the accused, documents, advocates' benches or of conferences between lawyers and clients. If those existed, no one would want to watch a programme about that case and the television companies would have wasted their money. The television companies want those visual contacts to be displayed on television screens and that is why there is pressure for the Bill to introduce, even by the thin end of the wedge or the beginning of the slippery slope, television intrusion into court proceedings.

Mr. Fraser: If there are television cameras in courts might people conclude that some advocates are too long-winded?

Mr. Lawrence: That was a very unkind cut. I am sure that the hon. Gentleman will have a long time to deploy his arguments. The long windedness of counsel is unlikely to be covered by television because that would make the programme too boring. However, we are debating a subject about which many points must be made. If the hon. Gentleman does not want me to make those points, my speech will be shorter. However, those points must be made and considered and if that takes a little time, I am

[Mr. Lawrence]

sure that the hon. Gentleman will forgive me. If I appear to stray outside the scope of the Bill, no doubt Mr. Speaker will stop me.

Mr. Peter Bottomley: Perhaps my hon. and learned Friend's points will increase support for the Bill. If we argue that television may influence justice, is that an argument for excluding barristers who occasionally make mistakes which can affect the results of a court case? We must decide whether television has a worse impact than gossip, newspaper reporting or other forms of discussion. That is the crucial test and we will not know until we try it.

Mr. Lawrence: I have already dealt with the argument about trying it. That is the thin end of the wedge as trying it always leads in the end—as it has in this place—to permanence. My hon. Friend the Member for Eltham suggests that it would be better if the whole trial were televised so that everyone could see the trial from beginning to end. However, that is not in prospect. What is in prospect is that just the sexy parts of the trial would be encapsulated in the media and used repeatedly in evening television broadcasts. That will not satisfy my hon. Friend the Member for Eltham, because justice is no more likely to be done with such excerpts than it is likely to be done with a full television performance or with snapshot excerpts, as happens at the moment.

The time is approaching 11 o'clock, and I am about to refer to another point. I do not know whether you would consider that, if I continue for half a minute longer without referring to that subject, if would be an appropriate stage for you to take over, Mr. Speaker. However, I am flattered by the attention. That is another example of proof positive——

It being Eleven o'clock, MR. SPEAKER *interrupted the proceedings pursuant to Standing Order No. 11 (Friday sittings).*

The Gulf

Mr. Martin O'Neill (Clackmannan) *(by private notice)*: To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will make a statement on the latest developments in the Gulf conflict.

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): As the House knows, last night a Soviet spokesman announced a further set of proposals about ending the conflict in the Gulf.

We have not yet received from the Soviet Government the full text of those proposals. When we do, we will analyse them and consult carefully and urgently with the Governments of other countries whose forces are participating in the coalition alongside our forces.

Such details as were given in last night's announcement in Moscow indicate that those proposals are an improvement on those that had previously been put forward by the Soviet Union. We welcome that. But they still contain serious deficiencies. They fall significantly short of full and unconditional implementation of the relevant Security Council resolutions.

It is not yet clear whether Iraq has accepted the Soviet proposals, even as they currently stand.

Mr. O'Neill: I thank the Minister for that reply. I note that, no matter how pessimistic we may have been last night, there may be some grounds for qualified optimism. The hon. and learned Gentleman will agree that the cornerstone of our policy must continue to be the cessation of hostilities by an unequivocal commitment to withdraw from Kuwait, backed by immediate concrete steps leading to full compliance with the United Nations Security Council resolution.

Does the hon. and learned Gentleman recognise that the statement requires close and continuing study not only of the details as he receives them but of the talks in Moscow today? Does he accept that there are gaps where the United Nations commitments should be? That may be due to the insertion of some Iraqi points in the list. Is the hon. and learned Gentleman in a position to confirm which of those points may be attributable to the Iraqi Government?

Finally, can the hon. and learned Gentleman shed any light on the change of step that seemed to occur between Saddam Hussein's broadcast yesterday and Tariq Aziz's meeting in Moscow last night? Who is now determining Iraqi policy in this matter?

Mr. Hogg: I am very grateful to the hon. Gentleman for the clear way in which he has set out his own position. I find myself in very substantial agreement with everything that he said. We have not, as I said, had a full text of the proposals or a full read-out of how the proposals exactly came to be constructed. Therefore, if the hon. Gentleman will forgive me, I cannot tell him the extent to which the proposals emanate from the Soviet Union or have been adjusted by the Iraqi representative.

As to whether Tariq Aziz or President Saddam Hussein speaks for Iraq, I frankly do not know, but the fact that there is a different tone and emphasis to what they appear to be saying makes all of us extremely cautious.

Mr. Paul Channon (Southend, West): Does my hon. and learned Friend agree that everyone in the House and outside hopes that the talks and other measures that are

being taken may lead to our not having to have a ground war? Would not it be essential that, in any agreement that is reached, it must be clear that Iraqi troops must withdraw unconditionally from Kuwait and not be in a position later on to attack it again? Does it not seem, at least from an initial reading, that the so-called terms fall short of that and, in particular, show no sign of Iraq's having abandoned its claim to Kuwait in the future?

Mr. Hogg: My right hon. Friend makes a number of important points. He will of course know well that resolution 678 of the Security Council calls for complete, immediate and unconditional withdrawal by Iraq from Kuwait. He will know also that that resolution provides for the restoration of peace and security in the region. Those objectives remain the objectives of the coalition, and we shall not derogate from them.

Mr. Menzies Campbell (Fife, North-East): Should not we now be adopting a twin-track approach, in which we vigorously pursue the possibility of a peaceful solution that is consistent with the United Nations resolutions, while maintaining military pressure? Does the Minister agree that such a peace is likely to be durable only if Iraq acknowledges the legitimacy of the Government of Kuwait and, indeed, the legitimacy of the borders of that country? Further, will not it also be an important part of any such peace that the United Nations embargo on arms sales to Iraq is maintained and even strengthened?

Mr. Hogg: Once again, I have considerable sympathy with the remarks of the hon. and learned Gentleman. On military pressure, the answer is, yes indeed: military pressure must be maintained until there has been a complete and unequivocal compliance with the relevant Security Council resolutions. The hon. and learned Gentleman made specific reference to the restoration of the legitimate Government of Kuwait. He will of course know that that is one of the important elements within resolution 678 and remains the objective of the coalition countries.

Mr. John Wilkinson (Ruislip-Northwood): From what my hon. and learned Friend has gleaned so far, what evidence is there that a durable arms control regime is to be put in to place and effective monitoring established? Is not it absolutely crucial that Iraq's nuclear, chemical and biological capabilities be removed and not replaced? Can he reassure the House as to the Soviet Union's role? It has been Iraq's most consistent ally. We have the memory of Nasser and Suez. We should not wish to see a repetition of anything like that—a job half done.

Mr. Hogg: My hon. Friend may recall that, in yesterday's debate, I spoke of a number of important issues that would have to be tackled when this conflict came to an end. One was the ways in which the international community could introduce a more effective arms control regime within the area. That remains a very important issue, of which we will not lose sight.

Mr. Tony Benn (Chesterfield): Is the Minister aware that the proposals emerge not from Tehran but from Moscow? The Soviet Union has supported the United Nations resolutions from the beginning. It is a permanent member of the Security Council and it has an interest in the area due to its geographical position—the fact that it is so near. Really, it is necessary for the proposals to be taken very seriously. It would be quite wrong for them to be rejected out of hand.

I am glad that the Minister has said today that further thought would be given to the matter, because the hopes of the world rest on it—for example, the lives of many British troops, the families here, the Saudis and the Iraqis. Also, there is no prospect of peace and stability in the middle east if the United States sees this matter, as President Bush continually says, as some way of avenging his defeat in Vietnam.

Hon. Members: No.

Mr. Benn: Yes——

Mr. Speaker: Order. This is continuing the debate that we had yesterday. Please put questions to the Minister of State.

Mr. Benn: I appreciate that, Mr. Speaker, but I speak for millions of people around the world, including the World Council of Churches.

Mr. Speaker: I know, but the right hon. Gentleman fully appreciates that this is a private Member's day and that we cannot enlarge upon these matters today.

Mr. Benn: I am grateful to you, Mr. Speaker, for allowing me to put the point that there are millions of people in the world whose hopes rest on a successful conclusion of this matter without mass bloodshed. Will the Government keep that point in mind?

Mr. Hogg: Of course we take the proposals seriously. I understand the right hon. Gentleman's views on this matter, but, as I have already said, we have not yet had a full text of the proposals and nor do we know whether additional proposals may be attached to those that have already appeared in the press. Moreover, we have not yet had the opportunity fully to consult our coalition partners and, of course, the Arab states within the coalition. For that reason, it is not possible for me to go beyond what I have already said, save to stress the fact that we treat these matters extremely seriously, but that our objective is to ensure full and unconditional compliance with the relevant Security Council resolutions.

Mr. Cyril D. Townsend (Bexleyheath): I welcome my hon. and learned Friend's assurance that there will be maximum consultation with our Arab coalition partners before any decision is made. Is he satisfied with the proposals for the early release of prisoners of war? He knows how sensitive that subject is on the Conservative Benches. Finally, will he please explain why the world should lift economic sanctions from Iraq before Iraq has withdrawn all its soldiers from Kuwait?

Mr. Hogg: My hon. Friend stresses the need for maximum consultation, especially with the Arab countries within the coalition. I can give him the assurance that he seeks. I regard it as very important that there should be the maximum consultation with the Arab countries within the coalition. My hon. Friend will recall that I specifically addressed the question of prisoners of war yesterday, when I stressed the high importance that we attach to an immediate release of the allied prisoners of war and the third-party detainees who are now held in Kuwait. Those are the things that I said yesterday and they therefore need no repetition today.

Dr. David Owen (Plymouth, Devonport): I welcome the Government's prudent and cautious approach, but does the Minister recognise that regional peace and security is closely linked to total withdrawal, as is implied in the 12 resolutions of the United Nations, and that it would be difficult to understand any decision to allow back into Iraq all the heavy equipment and tanks before Iraq has signed up to concrete measures to ensure that it cannot again become a power which threatens nuclear weapons, long-range missiles directed at regional capitals, and an overwhelming regional military force?

Mr. Hogg: I am grateful to the right hon. Gentleman for expressing his anxiety so clearly. I am sure that he found considerable support in the House.

Mr. Julian Amery (Brighton, Pavilion): While I appreciate that the decision on these matters must rest predominantly with our American allies who have contributed most of the power, in such advice as we convey to the United States, will my hon. and learned Friend bear in mind Sir Winston Churchill's verdict on Suez:

"I don't know if I would have dared to start, but I would never have dared to stop"?

Mr. Hogg: I am grateful to my right hon. Friend for his advice on this matter.

Mr. Peter Shore (Bethnal Green and Stepney): While there are defects and omissions in the Soviet proposals, the Minister is surely right in saying that the Government will give serious consideration to what is clearly a significant advance. However, can he tell the House something more about the status of the proposals? Are we being told that, despite the presence of the Iraqi Foreign Minister in Moscow yesterday, the proposals have not yet been wholly endorsed by the President of Iraq, Saddam Hussein?

Mr. Hogg: The right hon. Gentleman raises an important point. We are uncertain about the status of the proposals. To start with, we have not had a full text and most certainly we do not know what the considered response of the Iraqis might be to the proposals. We do not know, for example, whether Tariq Aziz's position is accepted by his President, a point that I made to the right hon. Gentleman's Front-Bench colleague, the hon. Member for Clackmannan (Mr. O'Neill).

Mr. Hugh Dykes (Harrow, East): I thank my hon. and learned Friend for his meticulous and balanced monitoring of these complex matters. Will he confirm that, while we are waiting for those clarifications, there is no question of coalition or British forces being in any way endangered and that vigilance will be maintained in military terms? Does he agree that, if one reads closely the text of yesterday's speech by Tariq Aziz, one sees more and more evidence of a split in the Iraqi leadership?

Mr. Hogg: The answer to the first part of my hon. Friend's question is that the lives of our soldiers and service men, and of the other service men within the coalition, remain our paramount consideration. There is no question of our relaxing our vigilance. Indeed, hostilities are continuing because there is no reason at the moment why they should be discontinued.

Mr. Alex Salmond (Banff and Buchan): Does the Minister accept that, although the Government are of course entitled to ask for clarification and explanation, there would be a grave danger in following the initially negative line that is coming from Washington? Does the Minister further accept that many of us who have strongly supported the position of the United Nations are extremely anxious to seize on any diplomatic opportunity to settle the conflict without a ground offensive? Does he also accept that the correct body to consider the proposals is the Security Council of the United Nations, under the auspices of which these matters are being pursued? Finally, will he assure us that there will be no precipitate extension of the ground conflict until the diplomatic initiative has been allowed to run its course?

Mr. Hogg: The hon. Gentleman must determine his priorities. He is implying that the avoidance of a land campaign is his priority. That is not the priority of the coalition countries. Our priority is to ensure full and unconditional compliance with Security Council resolutions. If Iraq is not willing to do that, there will be a land campaign.

Mr. Nicholas Soames (Crawley): Will my hon. and learned Friend continue to view these talks with meticulous care, as suggested by another hon. Member, but will he also view them with a healthy dose of scepticism? Is he aware that it is very much in Saddam Hussein's interests to ensure that the talks are as protracted and difficult as they possibly can be? While the talks are continuing, will my hon. and learned Friend confirm that it is the intention of the allied forces to pursue with great vigour the preparation of the battlefield?

Mr. Hogg: My hon. Friend is wholly right. We treat Saddam Hussein with great caution and great scepticism. As I told the House yesterday, it is impossible to forget that right up to the eve of 2 August 1990 Saddam Hussein was assuring Arab countries that he had no intention of invading Kuwait. He lied.

Mr. Greville Janner (Leicester, West): Of course, we shall all rejoice if it is possible to end the conflict without the carnage that will result from a full-scale land war, but what is the Minister's view of the chances of a lasting peace if Saddam Hussein remains in power and with power? Is it not significant that the reports that we have received about the Soviet proposal make no mention of compensating the Kuwaitis, who are, after all, the greatest sufferers from this wicked advance? There is no mention of Saddam Hussein leaving behind any of his weaponry, which he could use again, and no mention of dealing with the stocks of chemical and biological weapons which he undoubtedly has, which he has threatened to use and which he could use again if he decided to make another assault.

Mr. Hogg: The hon. and learned Gentleman has expressed his anxieties clearly, and I am grateful to him for doing so. He will recall that I touched yesterday on the issue of the status of Saddam Hussein, when I said that we would not grieve if Saddam Hussein were persuaded to step aside or otherwise ceased to be the leader of Iraq, but it is not a war objective to displace him. It is not our intent to change the Government of Iraq, for that is a matter for the people of Iraq.

Mr. Michael Stern (Bristol, North-West): Does my hon. and learned Friend agree that one element that appears to be absent from the proposals emanating from Moscow is the idea of compensation for the damage to

lives and property suffered by Kuwait and most of the rest of the world? Does he further agree that, without such an element, no peace proposal would be acceptable?

Mr. Hogg: I am once again grateful to an hon. Gentleman for so clearly articulating his concern on matters that are of great importance.

Mr. Gavin Strang (Edinburgh, East): If the Iraqi leadership is prepared to agree to a full and unconditional withdrawal, on a fixed timetable, starting on the second day of the ceasefire—the first three of the eight points—that is a tremendously important development. The Minister said that it is not a Government priority to avoid a land campaign, but he must appreciate that, even on the best case scenario, thousands of service men will be killed if we embark on that campaign. Is it not clear that the world will never forgive President Bush if he kills this peace process by initiating a huge land offensive?

Mr. Hogg: I was talking not about priorities but about paramount considerations. I told the hon. Member for Banff and Buchan (Mr. Salmond), who speaks for the Scottish National party on this matter, that he was making the avoidance of the land campaign his paramount consideration, but that the achievement of a full and unconditional implementation of the Security Council resolutions was the paramount consideration of the coalition countries. If it is necessary to wage a land campaign to achieve that, we shall do so.

Mr. James Couchman (Gillingham): Further to what my hon. Friend the Member for Bexleyheath (Mr. Townsend) said about prisoners of war, will my hon. and learned Friend bear in mind the fact that there are western prisoners in Iraq other than prisoners of war, who are often held on trumped-up charges and for long periods? I am thinking particularly of Ian Richter, our citizen, who is held in Iraq in appalling conditions.

Mr. Hogg: I am grateful to my hon. Friend, for reminding the House of Mr. Richter, whose position in Iraq causes us considerable concern.

Mr. Alan Williams (Swansea, West): We all welcome the possibility of peace and believe that this option should be fully explored, but did the Minister hear, as I expect most of us did yesterday, the reports that the Iraqis may have passed the decision on use of chemical weaponry to their battlefield commanders? Will he take this opportunity, while we are discussing peace options, to make it clear to the Iraqis that any use of chemical weaponry against our troops or any other targets during such discussions will be seen as a deliberate and calculate attempt to sabotage them?

Mr. Hogg: It would indeed be so seen. It would be a monstrous thing to do. It would be very much against the interests of Iraq to do so.

Mr. Patrick Ground (Feltham and Heston): Does my hon. and learned Friend see any consistency between these proposals and the speech yesterday afternoon by Saddam Hussein? What is the status of the Soviet proposals? Do these proposals represent an improvement as far as this country is concerned, particularly on prisoners of war? Is that an improvement brought about by representations by our Government? Have the Government made it clear to the Soviet as well as to the Iraqi Government that we regard it as essential that all resolutions of the United Nations should be complied with?

Mr. Hogg: It is difficult to say that there is consistency between the statement made by Saddam Hussein and the apparent position taken up by Tariq Aziz. Much that is done within Iraq is irrational; that being so, I do not always expect to find consistency. My hon. and learned Friend is making an important point when he says that, because of this inconsistency, we should treat the present position with caution.

On the more substantive part of my hon. Friend's question, this is a step forward and a step beyond what has previously been suggested either by the Soviet Government or the Iraqis. For the reasons that I have already set out to the House, it falls short of a full and unconditional acceptance of the Security Council resolutions, and that remains our objective.

Mr. Ken Livingstone (Brent, East): Will the Minister assure the House that he does not for one minute suggest that all aspects of all the Security Council resolutions have equal value? Will he assure us that, while he may be prepared to countenance a land war to liberate Kuwait, insistence on compliance with every dot and comma of all the resolutions is out of any balance when weighed against the scale of slaughter that would follow such a battle? In every conflict, there has to be compromise. We weigh the lives of our service personnel in the balance. While they may be prepared to die to liberate Kuwait, they might not feel the same way about every dot and comma of every United Nations resolution. That would not have the support of public opinion either.

Mr. Hogg: The hon. Gentleman will have heard me say from time to time that our objective is to ensure compliance with all relevant Security Council resolutions. The hon. Gentleman has a point here. If he reads the resolutions, he will find that a number of the provisions in them do not impose obligations on Iraq. They empower the coalition countries to do this and that. Therefore, we have to be sure that we are focusing only on the relevant terms.

Mr. James Arbuthnot (Wanstead and Woodford): Does my hon. and learned Friend agree that, in view of the approaching weather difficulties in the Gulf, any change that we may introduce should be dealt with with great speed and that we should treat these proposals not only with scepticism but with determination not to allow Saddam Hussein to inject an element of delay?

Mr. Hogg: There must be no delay.

Mr. D. N. Campbell-Savours (Workington): Do not the Iraqi concessions to the Soviets show that the resolve and determination of the allies and the coalition forces is paying off? Would not a liberated Kuwait be entitled to retain all the military equipment that belongs to Iraq but is in place on Kuwaiti territory and to the return of all the billions of pounds' worth of confiscated assets? Is it not entitled to be assured that the minefields that the Iraqis have laid are cleared and to know that there will be peace and security in the region? Do not we want statements from Saddam Hussein rather than from a sidekick whom he sends to Moscow?

Mr. Hogg: Restoration of peace and security to the region is an element of resolution 678 and therefore is one of our objectives. Yes, the progress that has been shown by the Iraqis, albeit wholly insufficient thus far, shows the wisdom of the policy that has been adopted by the coalition.

Mr. William Cash (Stafford): As my hon. and learned Friend has said, resolution 678 emphasises peace and security in the region. Does he agree that we went in not only to ensure that Saddam Hussein got out of Kuwait but to protect Saudi Arabia, which has been subject to a rain of missiles and Scuds, as has Israel? Therefore, is not it imperative that we make certain that we pursue our determined objectives in line with the resolutions to ensure that Saddam Hussein and his brutal dictatorship achieve nothing out of this dreadful venture?

Mr. Hogg: The security of Israel and of Saudi Arabia are major considerations for the House and for the coalition. They are subsumed within resolution 678, which calls for the restoration of peace and security in the region.

Ms. Diane Abbott (Hackney, North and Stoke Newington): Is the Minister aware that, for ordinary people, not familiar with the details of Security Council resolutions, the Russian initiative represents the last opportunity to avoid the killing? Does he accept that the great fear, not least of the families of British service men in the Gulf, is that, paradoxically, an Iraqi withdrawal from Kuwait does not suit the Americans now because the military machine has achieved a momentum of its own, they are bent on removing Saddam Hussein and dismembering his military machine and they will not be baulked? Does he agree that, if Paris was worth a mass, the peaceful liberation of Kuwait is worth negotiating on the fine print of Security Council resolutions?

Mr. Hogg: We are talking not about fine print but about issues of major importance, such as a full and unconditional compliance with relevant Security Council resolutions. When Saddam Hussein accepts that fact, the killing will stop.

Mr. Hugo Summerson (Walthamstow): My hon. and learned Friend will be aware that Ramadan begins on 16 March. May not the confused words coming from Iraq merely be an effort to delay the allied effort until that crucial date? Is it not therefore the more important that the allied effort continues unrelenting?

Mr. Hogg: If the Iraqi Government suppose that they can spin this matter out, they are wrong.

Mr. Stuart Bell (Middlesbrough): The Minister is perfectly right to read the mood of the House in relation to resolution 678 and peace and security in the region. It is important for the House to consider the future after the liberation of Kuwait. How does that square with point four of the Soviet plan, that two thirds of the Iraqi troops should withdraw and that economic sanctions should then be lifted? If that were the case, would not we see an almighty arms race in the middle east that would further destabilise the area, rather than lead to peace and security?

Mr. Hogg: The hon. Gentleman has put an important point clearly. I have made it plain that we judge these proposals as falling short significantly of United Nations Security Council resolutions.

Mr. Harry Greenway (Ealing, North): Can my hon. and learned Friend go further than he did in answer to the most important question about chemical weapons? Has he seen the report in *The Times* today that chemical weapons have been issued widely and extensively to Iraqi forces? Without breaching security, can he confirm whether that is so? If it is so, does he think that that from President Saddam is the language of war, not of peace?

Mr. Hogg: We have always recognised that Saddam Hussein possesses chemical weapons and, judging from his track record, he may well use them. To do so would be a breach of the 1925 convention. It would be a gross crime and it would be contrary to morality and the interests of Iraq.

Mr. Dennis Skinner (Bolsover): On the subject of consistency, will the Minister confirm that, on 15 January, the Prime Minister said in a speech that if the Iraqi troops went back beyond the Kuwaiti border, they would not be attacked? Can he confirm that that is still the case and that it is part of the peace treaty that has been announced today? Or is it the case that the Government, in their pathetic responses at all times during this war, must wait for the Americans, and Bush in particular who is leading this American-led mercenary war, as they do not have the guts to respond until the people in America tell them what to do?

Mr. Hogg: The hon. Gentleman will remember that we debated precisely this issue yesterday. Our position has been consistent throughout—that our war objectives are to ensure a complete and unconditional compliance with relevant Security Council resolutions.

Mr. Andrew Mitchell (Gedling): While any positive sign of change from Baghdad is to be welcomed, is it not clear that the Iraqi regime is speaking with two distinct and different voices at this time? Does my hon. and learned Friend agree that there is no justification whatever for changing the coalition strategy before we have incontrovertible evidence that all the United Nations resolutions are being implemented in full by Iraq?

Mr. Hogg: I agree with both elements of my hon. Friend's question.

Mr. Jeremy Corbyn (Islington, North): Will the Minister take this opportunity of putting on record the thanks of many people for the efforts of President Gorbachev and the Soviet Foreign Ministry in at least attempting to keep the hope of peace alive when there has been markedly less effort by the British and United States Governments in pursuing a peaceful solution to the conflict?

Will the Minister tell us what are the war aims of the British and American Governments? Do they intend to move the troops on into Iraq? Do they intend to maintain a permanent base within that region? Are they interested in getting peace and grasping an opportunity that is available to us now or do they think that the land war has a momentum of its own? Does the Minister expect the carnage to start this weekend or does he intend to spend the weekend working for a peaceful solution to this awful conflict before any more lives are lost?

Mr. Hogg: I invite the hon. Gentleman to read what I said yesterday in the House about war aims. I dealt precisely with the questions that he has been good enough

to put to me now. On the first part of his question, the activities of the Soviet Government have given Saddam Hussein yet another opportunity to comply fully and absolutely with Security Council resolutions. We are pleased and grateful that such an opportunity should have been presented.

Mr. Peter Bottomley (Eltham): Should not we remember the Low cartoon in the *Evening Standard* in 1936, which showed the whole of the League of Nations cowering in a corner in front of Hitler, and what followed three years after that? Is not it clear that Saddam Hussein is morally wrong, a military loser and internationally required to do the opposite of what he said in his broadcast yesterday? While listening to what the Russians and others have to say, let us remember what the man himself said only yesterday.

Mr. Hogg: I agree with my hon. Friend. It is important to remember the kind of man with whom we are dealing. He uses war as an instrument of policy. He is by instinct and by practice a killer.

Mr. Harry Barnes (Derbyshire, North-East): Which of the eight points of the peace plan are, in the words of the Prime Minister, "not good enough"? The Prime Minister said that despite the fact that, seemingly, he had not seen the text of the proposals. If the text is available, will there be a chance for a statement to be made in the House before we adjourn for the weekend?

Mr. Hogg: As I have already said, we have not had a full text of the proposals. Nor have we had an opportunity fully to consult all our coalition partners, including the Arab states. That being so, it is inappropriate for me to seek to expand on what I have already said.

Point of Order

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Speaker. Today, British Steel announced the closure of the Ravenscraig blast furnace and 1,000 redundancies, while a Select Committee of the House is studying the matter and, apparently, preparing a report which is highly critical of British Steel's management. Does not that amount to a contempt of that Committee and of the House? Are we not entitled to a statement today from the Secretary of State for Scotland to explain what he will do about these acts of industrial vandalism and the scorched earth policy that British Steel is pursuing in Scotland?

Mr. Speaker: I am sure that what the hon. Gentleman has said will have been heard by the Leader of the House, who is present. I do not know anything about that matter.

Courts (Research) Bill

Question again proposed, That the Bill be now read a Second time.

11.37 am

Mr. Lawrence: With these weighty, serious and momentous matters of the Gulf weighing with us, it may sound irrelevant to continue the debate on which we are engaged, but the show must go on and so must my speech, although I hope for not much longer.

I was dealing with the point about the exercise of tight control over the experiments. Great reliance cannot be put on judges spending time controlling television in their courts. Judges must make sure that justice is done in the case before them. If it is a serious criminal case which is attracting public attention, that is all the more reason why the judge should concentrate all his attention on the process of the court and the debate whether the accused is guilty or innocent. He is likely to say, "It is not my job to exercise control over television companies. My job is to conduct the trial, which is not a public entertainment. The most sensible path that I can follow is to have no truck with it. I exclude television." Where would the television company be in that situation?

Let us suppose that the judge allowed television in and there came a point in the trial when he found it necessary to exclude television. Would trials be held up while television companies made representations, in open court and perhaps with counsel, on the reasons why they should not be excluded? When we last discussed anything like this Bill the same question arose. In debating the Contempt of Court Act 1981, as it now is, we discussed the way in which, under section 4, the judge can exclude the press at an appropriate moment.

That causes an enormous amount of ill feeling among media representatives, who feel that they have a right to be there and that the public should know what is going on behind closed doors. Representations are made, publicly and privately, and it is all a waste of time. The amount of time wasted would be even greater if the television companies were for ever pressing not to be excluded from a court of law because the judge was exercising control.

My hon. Friend the Member for Ellesmere Port and Neston argues, on clause 2 and research into the jury system, that the system is so important a part of our legal process that we should examine it with care to see whether it is efficient, can be improved and whether we can present our arguments better. He says that everyone should be able to become acquainted with the way in which our system works, that people should be educated in the subject, that such closeness will make the public heart grow fonder and increase public confidence in the jury system and that opening up juries to the scrutiny of the public will make juries more accountable to the community.

Those are desirable aims, but there are two main flaws in the argument. First, jury research would not necessarily achieve those ends and, secondly, more harm than good might be done to the system. Consider, first, public confidence. Juries are not necessarily rational bodies. The law says, for example, "You must convict if you are satisfied that the accused committed the crime." But a jury may say, "Why should we convict this man? We think that he has suffered enough. We do not agree with this law" or,

[Mr. Lawrence]

"We do not think that his breach of the law in the circumstances is important enough for him to run the risk of prison."

I am not sure that it is desirable for the jury to be made into a more rational and more efficient machine, because, at the end of the day, the jury protects the individual accused against the oppression of the system. However benign, tolerant and modern the system may be, at the end of the day what cushions the system and its machinery from the impact on the individual accused is the jury. Although it is irrational, we would gain nothing by inquiring into its irrationality.

Every case is different, every crime is committed in different circumstances, at different times, at different places, with different effects and with different defendants manifesting different characteristics. I am not sure that it would be sensible to generalise research in an area which is so manifestly disparate and diverse.

What harm can be done by such research? I do not want the confidentiality of the jury room broken into. Harm would be done. I do not want juries to be questioned by journalists and others about their decisions. Although that is not suggested, it would not be long before it happened, and once the principle of not questioning jury men was broken down, such questioning would be done by professors, lecturers at university and others. I do not want jurors to refuse to do jury service because they are terrified of being questioned about their decisions or because they fear having to give reasons for their decisions.

I do not want the pressure on the jury man to be greater because of his fear that he might be questioned. Sitting there in the jury box, he should not have to think, "I may be asked afterwards by a professor, a journalist, a lecturer or some other intelligent person why I made my decision, and I may not be sure why I made it. I am just a jury man and it is my feeling. I have given my response and I believe that my decision is right, having arrived at it in that way."

I do not see how control over research or the way in which a researcher would operate can be easy. I do not believe that public confidence in the jury system would grow with research, and that is the rub. Those who do not want the jury system to endure want this research. When my hon. Friend the Member for Ellesmere Port and Neston says, "Let us lift the veil on the jury system," he really means something else.

Dr. Woodcock: Nonsense.

Mr. Lawrence: Many of his supporters actually mean, "Let us reveal to the public sight how inadequate, inefficient, wrong and irrational is our jury system. We shall be so shocked by what we find that the system will collapse."

Mr. Arbuthnot: Does my hon. and learned Friend know the position of the Bar in this matter? Does the Bar want to continue its support of jury trials, even if research under the Bill shows that a jury trial is a silly way to decide things, or does it want to continue jury trials only for a short time, until research shows the position one way or another? Alternatively, does he believe that the Bar is signalling to the House that it would like to see the end of jury trials?

Mr. Lawrence: I am not the Bar, even though I am the chairman of the all-party joint parliamentary committee of barristers. I believe that there is a division of opinion at the Bar on this issue. Those who advocate and have been supporting, even encouraging, my hon. Friend the Member for Ellesmere Port and Neston to pilot the Bill —I hope that Mr. Caplan will not object to my saying this —have said clearly that they want the jury system to remain. I do not believe that the system would necessarily remain if we conducted research into the intricate ways in which the jury system works and that would be a deplorable development for the British system of justice.

Many people do not want the jury system to remain. I particularly recall the attempts made in the Roskill report to get rid of the system for long fraud trials. If the system went, judges would judge trials. Many people say, "If we had real judges with real experience, real common sense and real knowledge and application of the law trying criminal trials, fewer of the guilty would get off."

The danger is that the judges are not always right. After many years of service in our courts, I would rather have a jury than judges deciding criminal trials. The jury is the protector of the person who is falsely accused. The jury protects the civil liberties and freedoms of the individual in a way that even our judges cannot do. I do not want anything to happen that threatens the existence of the jury trial. I say frankly and openly that those who would pursue research of the jury system would be precisely, perhaps unintentionally, undermining the jury system.

We are told that the United States and other countries use television and research, and have welcomed both. I am not sure that it is possible to make comparisons in this regard, but it is worth pointing out that some of those countries possess entirely different legal systems and rules. It is possible that, in the case of an inquisitorial system that is bent on discovering the whole truth, rather than an accusatorial system such as ours, there is less objection to the exerting of outside influence on criminal trials. That does not apply to our accusatorial system.

In our criminal courts, an allegation must be proved, or the prosecution fails. Our system discovers the truth, but it does not necessarily discover all of it. Under it, rules of evidence protect the accused in a way in which more open systems do not. Perhaps it is time to change our system. I could go on for hours about the pros and cons; what I know is that we should not be impelled to change it by introducing either television or intrusive research. The system cannot be changed overnight: a decade of work would be needed. The effects of television and research might be very different in an accusatorial system, given the influence that it might have on the participants in a trial, especially the jury. The comparison can best be made with the United States. I do not want to offend any of my hundreds of American friends, many of whom are attorneys, but I would not wish to exchange our system for theirs.

Of course, my observations do not apply to many civil cases. America has jury trials in civil cases; we do not. My hon. Friend the Member for Ellesmere Port and Neston may say that I have made quite a good case for the exclusion of television and research from criminal trials, but that television could prove useful and educational in the civil or appeal courts. I agree: if none of my criticisms and objections apply, there is certainly no reason to oppose such a move. Let us be realistic, however. How much public appeal would there be in televising legal

arguments in the Court of Appeal or the House of Lords about, for instance, the interpretation of taxation subclauses in financial legislation? How enraptured would the public be by the sight of the Lord Chief Justice considering to what extent the word "wilfully" implies malice?

Those are not the kind of trials to which the television companies would want to commit massive financial investment. What they want are precisely the kind of trials that my hon. Friend wishes to exclude.

Dr. Woodcock: These seem strange arguments, coming from a man who makes his living by the law. My hon. and learned Friend is saying, essentially, that evidence ought to be excluded; he is not allowing for the same trial of evidence that he seeks for the clients whom he represents in the courtroom.

In regard to jury research, is my hon. and learned Friend saying that he believes that our jury system is so perfect that it is incapable of improvement, or is he saying that, although it may be capable of improvement, he does not wish to know its shortcomings, because he would not want to improve it even if he did know them?

Mr. Lawrence: I think that it would be dangerous to try to improve the jury system. To examine the working of the system, and to try to make it more efficient and rational, is actually to destroy the essence of that system, which is not necessarily either efficient or rational.

I know that my hon. Friend is a magistrate and has probably presided over criminal trials for many years, but criminal trials at that level are different from those that involve juries. I am not taken in by juries—I do not consider the jury system perfect—but I feel that if we tamper with it too much, there will be pressure for its removal. That would be the most retrograde step that we could possibly take if we want to ensure that justice is done in our criminal trials.

Dr. Woodcock *rose*——

Mr. Lawrence: I must finish my speech: I do not want to stop others from speaking.

Who wants the Bill? Where is the pressure for it? Until it was presented, and until I read the arguments of the Bar Council, I observed no agitation in favour of television —or even research into the working of juries, except on the part of a handful of academics. I may be accused of being an old reactionary backwoodsman for resisting this great advance, although I do not see myself as such, but I am astonished that my own trade union, the Bar Council, should push for it.

This old institution of our courts and legal system, and protector of the interests of the Bar, seems suddenly to want to be modern. It is mutton dressed as lamb: it wants to change its image, like a trendy vicar. I am not sure that much is achieved by trendy vicars, women who dress up as lamb when they are really mutton and others who try too hard to be modern when they are part of an established tradition—pillars of the community, perhaps rather old-fashioned—except incredulity among many of their supporters, such as myself.

Perhaps I am letting my trade union down; perhaps I ought to be for the Bill. It would undoubtedly be very good for the Bar: there would be a great deal of publicity, and many people would make themselves famous overnight. It would be excellent for business—which means that much more money might go into the pockets of the barristers.

Yes: let us have the Bill. It will be good for the lawyers. That ought to kill it.

11.58 am

Mr. Humfrey Malins (Croydon, North-West): First, let me declare an interest, as a solicitor and assistant recorder.

I congratulate my hon. Friend the Member for Ellesmere Port and Neston (Mr. Woodcock) on his excellent introduction of the Bill. He spoke capably and persuasively. I shall not speak for too long, because I know that others wish to speak as well.

It is an impressive experience to look around the Chamber on a Friday and see so many hon. Members who are keeping an open mind and who are here to listen to the arguments. It is to the many who are still uncertain about which view to take that I address my speech and I hope very much that they will agree that this modest measure should be given its Second Reading today and should proceed further.

The Bill is modest. It aims to establish a pilot project on important issues that must be discussed. If it is given a Second Reading, it will not mean that television will be in the courts. We want to proceed gently and gingerly with a pilot project. If, when the evidence is available—this point was made tellingly by my hon. Friend the Member for Ellesmere Port and Neston—we decide that it is right to proceed no further, we are at liberty to take that decision. It is not an easy subject and differing views are held on it. Members of the Bar Council and of the Bar are not unanimous.

Initially, I was hostile to televising the House, because I thought that it would trivialise and lower the quality of everything we do and that right-thinking people outside would not thank us for agreeing to it. I believed that the great orators among us would become stage stars, while the duller ones such as myself would sink into further obscurity and that it would be biased against the ordinary dull chap.

I was wrong to vote against televising the House, but it has taken me some months to reach that conclusion. I held the natural fears that my hon. and learned Friend the Member for Burton (Mr. Lawrence) expressed, but they were unfounded. Television has enhanced our reputation in the outside world and has helped to educate people about how Parliament works. As my hon. Friend the Member for Ellesmere Port and Neston said, 70 per cent. of British people get most of their information from the television.

Mr. Summerson: My hon. Friend said that televising the House had educated the public. Does he think that, because they see what goes on in the Chamber, they know more about the arcane and extraordinary procedures by which this place works?

Mr. Malins: My hon. Friend makes an interesting point. I do not know more whether the public know much more about the procedures of this place than my hon. Friend or I. It is helpful and good in a democracy for people to form a view on national issues such as the Gulf crisis. Without television, they might not form a view.

My hon. and learned Friend the Member for Burton argued that televising the courts is unnecessary because

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they are open to the public. Televising the House has enabled millions of people to see Parliament at work—an opportunity which they would not have but for television. They cannot afford *Hansard* or to travel to Westminster every day. Televising the House has enabled housebound, poor and disabled people to see the House at work.

Mr. Andrew Mitchell: I agree with much of my hon. Friend's speech, but will he address the point made by my hon. and learned Friend the Member for Burton (Mr. Lawrence) about the intrinsic difference between the televising of this place, where we perform as volunteers, and the courts, where people do not so perform and where 50 per cent. of those who plead guilty are declared by the courts to be entirely innocent?

Mr. Malins: I accept that there is a difference between the courts and the House, but, equally, there are similarities, because many of the fears expressed about a pilot project in the courts were strongly expressed about televising the House. Many of the arguments that overcame the fears expressed about televising this place will apply to some of the fears that my hon. Friend mentioned.

My hon. and learned Friend the Member for Burton asked how we could guarantee that courts would not become a media circus. He said that television was a form of entertainment and that courts would become a media circus. He is saying, in so many words, that the courts would be trivialised, but there is a powerful argument against that. Television does not change into a circus something that is not already a circus. It does not change the House, wonderful religious services or a sombre, serious issue into a circus. If something already is a circus, television shows it as such.

My hon. and learned Friend the Member for Burton spoke of witnesses not wanting their private lives to be exposed to millions. That is a strong point. However, in major trials, the names of witnesses and much of their evidence is revealed to the public by the press or by television reporters. They are not anonymous.

Mr. Lawrence: It is a question of degree. Although 1.2 million people may buy the *Daily Telegraph*, of which a small proportion read the report of a trial, millions of people will see a witness on television.

Mr. Malins: It is a question of degree, but the more famous the trial, the more widely covered is the witness's name and evidence.

Mr. Evennett: My hon. and learned Friend the Member for Burton (Mr. Lawrence) is quite wrong. He mentioned a newspaper that responsibly reports major trials, but he did not allude to the millions who watch the news on television or read it in other daily newspapers which have a larger circulation and which trivialise those major court cases. Does he agree that witnesses in such trials are not anonymous, because they appear on "News at Ten" or in the mass media?

Mr. Malins: My hon. Friend makes a telling point, and I agree with him wholeheartedly—as he would expect me to.

We know the names of witnesses in famous trials. A girl called Monica was involved in the Jeffrey Archer trial. Her name is imprinted on my mind because I read it, and her evidence, daily for weeks. Important cases already attract publicity, but trivial cases would not be televised.

Mr. Arbuthnot: I do not want to speak for my hon. and learned Friend, the Member for Burton (Mr. Lawrence), but his argument was not about the extra number of people who watch television, but about the fact that a picture is worth a thousand words. The vividness of the visual image is imprinted on one's mind far more deeply than what one reads and forgets so much more quickly.

Mr. Malins: This is a difficult area and I respect the fact that there are opposing views on it. Under our present system, however, witnesses and defendants are pictured in the low-quality tabloids. Those papers provide great details of all sorts of people involved in court cases. They provide their names, the evidence they gave and their pictures, and those facts are brought home to millions of people who take those tabloids. I sincerely believe that the worries that my hon. Friends have expressed about more publicity for witnesses and defendants should not stop them allowing the Bill to proceed today.

I have read the report of the working party of the public affairs committee of the General Council of the Bar. I congratulate Jonathan Caplan and my old friends Michael Kalisher and Anthony Speaight on a good report, which has meant that we are able to discuss the matter today.

Let me outline why I believe the Bill should be passed. I do not believe that the legal system and lawyers suffer from too much popularity in certain sectors of our society in 1991. Some people have a lack of confidence in the legal system, but we have a good one, so why keep it private? We have nothing to hide and we should let some of that system be seen by the public. Televising might enhance the public's confidence in, and respect for, the law.

Pilot projects for televising the courts would help to reinforce our long tradition of open justice. We always criticise secret trials and ask why the public cannot be told what is going on. If the Bill is passed, more publicity will be given to our legal system and the public's ability to know what is going on will be greatly increased.

The Bill will enable many people to have a better understanding of how our court system works and some of the burdens borne by leading counsel such as my hon. and learned Friend the Member for Burton. Imagine the prospect of a trial at the Old Bailey with my hon. and learned Friend on his feet eloquently addressing the jury, only to hear the Division bell going at 3.45. Imagine him rushing back to the House—to be seen on television once again.

I do not believe that televising the courts would trivialise them. Such coverage would inform and educate. I do not believe that it would lead to frightened witnesses and related problems. I believe that that coverage would lead to a greater interest in our legal system. A famous foreign court showed a judgment relating to Sunday trading on television—an issue of great national interest—and it was seen by many.

Many of our important civil cases could be televised in part with some advantage. It is vital that there are safeguards to ensure that the jury are not identified, but such issues could be debated later. Today we are considering the main principles behind the Bill.

I understand what my hon. and learned Friend the Member for Burton said about jury research, but anything

we can do to help jurors in their task should be considered. We could ask jurors the simple question: "Is there any way in which you could be helped further?" Perhaps jurors would suggest that there were, so we should give further consideration to such research.

I support the Bill and I hope that it is passed so that we can continue discussions on this important matter of national significance.

12.14 pm

The Solicitor-General (Sir Nicholas Lyell): I congratulate my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) on his good fortune in winning a high place in the ballot for private Members' Bills, and on his choice of Bill. Today gives us a valuable opportunity to debate in some considerable detail two significant proposals for change in relation to the operation of our judicial system, in particular our criminal justice system.

It is already clear from the debate so far that this subject gives rise to lively and wide-ranging considerations. It is clear that the House has in mind the importance of the issues raised by the Bill. There are arguments both ways and I see my function and duty to the House being to draw to its attention some of the potential advantages of the proposals that have been so eloquently advanced by my hon. Friend, as well as the difficult aspects that must properly be taken into account before we arrive at any decision on the principle of the Bill.

This is not a debate in which the House is likely to be divided on party political lines, but I know that hon. Members will want to reflect carefully how to proceed. My hon. Friend is supported by sponsors on both sides of the House. It is a matter of regret for the hon. Member for Norwood (Mr. Fraser) that he does not have the benefit of some eloquent sponsors on the Opposition Benches who could take part in the debate. However, they are extremely well represented by the hon. Gentleman and, in so far as the Labour party takes any particular view on this matter, we look forward with great interest to hear what the hon. Gentleman says, should he catch your eye, Mr. Deputy Speaker.

Opinions on this matter vary considerably and the Government's stance is to listen extremely carefully with an open mind to the views expressed by hon. Members.

The first part of the Bill deals with televising court proceedings. It seeks to implement the findings of a working party of the public affairs committee of the General Council of the Bar, on which I had the honour to sit for some years, which reported in May 1989. That report is often referred to as the Caplan report, after Jonathan Caplan who chaired the committee.

The present law is to be found in section 41 of the Criminal Justice Act 1925, which, in essence, was enacted to prohibit still photography. It is interesting to contemplate that it was in 1912 that a still photograph appeared of a small figure, the murderer, Frederick Seddon, being sentenced to death by Mr. Justice Bucknill. That photograph showed the spread of the court—Mr. Justice Bucknill, with his black cap, and his chaplain at his side. That photograph caused a frisson of horror at the time and it was specifically referred to 13 years later in 1925, when the prohibition of photography in court was passed into law.

It seems strange to us today that feelings ran so high just about a photograph, but they did, and that aspect of the law remains unchanged. Today's debate has already demonstrated that, although the medium that causes anxiety has changed, the power of the visual image and the power of sound recording in modern form are still recognised as so great as to make us cautious about their use.

It is difficult today to imagine a world without television, which is now such an important part of our lives, but in 1925 broadcasting even in sound form—"This is London 2LO"—had not even begun. It began in 1926, while television was still some 12 years away.

I agree with my hon. Friend the Member for Ellesmere Port and Neston that it is significant that this is the first time that the question of television in our courts has been debated. It would not be right to go further on this matter without recording the gratitude of the House for the work done by the working party of the Bar whose analysis of the problems and issues and whose proposed solutions provide a lucid and useful basis for our consideration of these issues. I have read the entire report. It is a careful and well-considered report, which justifies close consideration by anyone interested in this subject, and I shall draw upon it in my speech.

In essence, the report recommended the setting up of an advisory committee to review the arrangements for, and legal provisions relating to, coverage of court proceedings by the media—television, radio, newspapers and still photography—and to report to the Lord Chancellor and the Home Secretary. At this stage, in a sense, the Bill goes a little bit wider even than the report. It removes the statutory restrictions that prevent photography—still, on film or on tape—and removes the statutory limitations on tape recording, provided that those are carried out in accordance with rules of court. That is right. If we are to consider the matter sensibly, we must tackle all those problems. If the House is minded to wish the Bill to make further progress, a number of fairly fundamental changes to its terms are likely to be necessary.

The bar Council has unanimously endorsed the Caplan report's recommendation for an advisory committee and its ability to devise and monitor pilot projects involving research and the actual broadcasting of civil and criminal trials and of appellate proceedings.

In considering the arguments for and against this part of the Bill, I recognise that a proposal to televise the courts —albeit on an experimental basis in the first instance—has several potentially valuable features. It is a fundamental principle of our judicial system, and one of which we are rightly proud, that justice should be open and should be seen to be done. The requirement that court hearings should be in public is departed from only in rare and closely defined circumstances, and only for compelling reasons.

On the basis that courts are public places to which anyone can go and places whose proceedings can be openly and fairly reported in print by newspapers, books, magazines and so on, there is in a sense a prime facie case that balanced and fair television reporting should also be considered. Television broadcasting—which is by far the most powerful and dramatic way of reporting—would, in principle, enable a wide public to see the process of justice as it is administered in the sort of detail and with an immediacy that other forms of news presentation cannot match. It is argued that members of the public would gain from an ability to see the parties and witnesses and to

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study judges, advocates and jurors at work, thus gaining a better understanding of the workings of our courts and our system of civil and criminal justice.

The Bar's report sets out to examine the experience in some of those jurisdictions where television cameras are permitted in court at present. The report concluded that the experience in most cases was favourable. It observed that none of those states in the United States that have had an experimental programme of televising courts have later gone on to prohibit cameras. However, the House will wish to know that, in fact, there are not many countries in which courts have been televised—my hon. Friend the Member for Ellesmere Port and Neston made that point fairly—and in those countries where it is permitted, only limited use is made of the facility.

The major experiences is in 45 American states, where television is permitted on either a permanent or an experimental basis. It is noteworthy—the House should bear this in mind—that television is exclusive to the state courts and has not yet been admitted to the federal courts in any way. The United States has a formidable system of federal courts, which are highly respected throughout the world, but the United States has not seen fit to admit television to such courts, despite the experience of the state courts; nor has the Supreme Court been prepared to admit it.

The Bar's report notes that an experimental programme authorised by the Supreme Court of Florida —this is probably the high water mark of the case made by my hon. Friend the Member for Ellesmere Port and Neston—showed that

"the presence of the camera had little effect upon the dignity of the proceedings; the presence of the camera disrupted the trial either not at all or only slightly; participants' awareness of the camera averaged between slightly and moderately; both jurors and witnesses perceived that the presence of the camera made them feel just slightly more responsible for their actions; the ability of jurors to judge the truthfulness of witnesses was perceived to be affected not at all; the distracting effect of the camera was deemed to range from almost not at all for jurors, to slightly for witnesses and attorneys; there was no significant difference in the participants' concern over being harmed as a result of their appearance on television as opposed to their names appearing the print media; and court personnel and attorneys perceived that presence of the camera made the participating attorneys' actions more flamboyant only to a slight extent".

On the latter point, I have my hon. and learned Friend the Member for Burton (Mr. Lawrence) very much in mind. The report refers to a number of other experimental projects, which produced similarly benign findings.

All that might seem to make a significant case. I am considering it carefully. As I said at the beginning, it is important to put those arguments into perspective and to allude to several arguments that range against the proposal.

In considering that perspective, I should like to say a little more about those countries where this matter has or has not been considered. Looking down the Bar's list of 24 countries, one can see that television plays a part in only 10. I shall refer first to those countries that are generally against it. In Austria, there is no law against it, but there is judicial discouragement and it has not happened. In Cyprus, there is no law against it and no experience of it. In Denmark, it is totally forbidden. Finland, Greece, Ireland, Luxembourg, New Zealand, Portugal, Switzerland and Turkey have no experience of it. In Sweden, it is entirely prohibited, although sound recordings are permitted. In Germany, it is prohibited by the constitution.

In considering the countries that have some experience of televising the courts, with the exception of the United States, it is important to note how cautious they have been. I put Canada at the forefront because, when the Bar debated this matter at last year's Bar conference, it did so together with the Canadian Bar. The Canadian experience was both path-finding and extremely cautious.

In Canada, television has not been allowed beyond the hallway of court buildings. In 1987, just a couple of years ahead of our Bar, a committee of the Canadian Bar recommended a two-year trial period—a similar recommendation came from the Canadian Law Commission—but that was narrowly vetoed by the Canadian Judicial Council, which comprises the chief justices of Canada and of the Canadian provinces. It has not made progress in Canada yet.

In France in 1984, a commission suggested a two-year experiment, but it has not been implemented except in relation to the national historic archives. There is public access to what has been filmed and recorded after 20 years, and it can be publicly broadcast after 50 years. In Israel, television cameras were allowed into two celebrated and unusual trials—the Eichmann and Demanjuk trials. In Italy, there is no law on the matter, but judges are extremely cautious and have allowed television only into the opening and closing stages of one or two important trials.

In the Netherlands, there is little experience. Television has been allowed to film only from behind in the verdicts in some modern trials and, rather more widely, in the unusual Menten trial about the Nazi collaborator. In Norway, there has been some televising of cases of public importance for educational purposes. I said that I would put the matter into perspective. Other countries are thinking about televising, but they are approaching it cautiously and we are right to approach the matter in that spirit.

In that spirit, the House will wish to pay special heed to the views of our judiciary and especially to those of our senior judiciary. Like their counterparts in other member states of the European Community, our senior judiciary have serious reservations about the televising of court proceedings. It will be recognised that they have an unparalleled knowledge of the workings of our legal system and I know that their views will weigh heavily with the House.

Despite the reported American experience, many commentators—judges, lawyers and lay people here—fear that the presence of cameras would add considerably to the pressures faced by participants in a trial. It is an inevitable feature of trials—not only of criminal trials—that many participants—not only the defendant—are brought unwillingly to court in circumstances of great vulnerability or personal distress. There is a great difference between appearing in court, even before a packed public gallery, and appearing before a television camera with the knowledge that, later in the day, one may be exposed to a television audience of millions or perhaps even of tens of millions.

The effects of television cameras may vary. They may cause an inhibited witness to clam up entirely or at least to face considerable additional personal distress. They may

allow the uninhibited to play up to the cameras, which would be equally damaging to the proper conduct of the case. Although I recognise that none of the proponents of the Bill suggests that television should be allowed to record the most sensitive proceedings involving, for example, children or victims of sexual assault, it is worth stating in this context that the Government have done a great deal to recognise the vulnerability of certain witnesses by making provision for them, for example, to give evidence without the requirement that they be present in the court. There is a significant feeling that any move to televise courts would undermine the thrust of proposals in relation to other vulnerable witnesses who are still required to give evidence in person in court.

The Crown prosecution service has expressed to me its concern about the effect of televising on witnesses and, consequently, on the interests of justice. The Crown prosecution services prosecutes 1·7 million cases a year. It has responsibility for marshalling and, to some extent, caring for witnesses whom it has to bring before the court. The service fears that witnesses might be deterred from attending court because of the expected publicity and it fears that that may be true for defence witnesses just as much as for prosecution witnesses.

The service fears that witnesses may feel unable to give evidence in a fair and proper manner because of the camera. It fears that witnesses may be tempted to tailor their evidence to make it more acceptable to the viewing public. We do not know whether those fears are right or wrong, but they are real concerns, which must be addressed by any legislation permitting the televising of legal proceedings.

Mr. Peter Bottomley: I am grateful to my right hon. and learned Friend, whose remarks have been helpful to people in favour of the Bill and those against it. Is he right in saying that those fears need to be addressed in legislation? As I understand it, the Bill allows for rules to be written under the legislation and those rules could maintain controls. As my right hon. and learned Friend rightly says, the Crown prosecution service is concerned about the effect that televising would have on witnesses. Indeed, it would be odd if it were not concerned.

An experiment is needed to see whether it is possible to measure the effects. It is possible to allow television by exception into prison and into other places from which it is normally excluded. Whatever the rules and restrictions, the court room is the only place into which it is impossible to take a television camera and in which it is impossible to record for any purpose.

The Solicitor-General: That is an important argument, and I hope that my hon. Friend the Member for Eltham (Mr. Bottomley) may catch your eye, Madam Deputy Speaker, and expand upon it. I have pondered the issue. Essentially, my hon. Friend is asking whether we cannot deal with it by rules of court. If it is the will of the House that the Bill makes progress, we shall give it a great deal of careful thought. The rules committee is largely made up of lawyers.

One of the questions that we must ponder, as this is the first time that we have debated the subject, is whether there might be merit in it not merely being left for the rules committee to deal with, if the Bill makes progress. Perhaps the question should be given wider consideration outside the House. We are much indebted to the Bar for the research that it has done, but there is room here, and in the jury aspects of the issue, for research and consideration by people outside the rules committee. If the Bill makes progress, that could happen before we go further down the road.

Mr. Arbuthnot: My right hon. and learned Friend suggests that this matter could be dealt with by rules of court, but the way that witnesses would react cannot be dealt with by rules drawn up by lawyers. Reactions will differ from witness to witness and it is impossible to predict how a witness who has never thought about this problem will react to the introduction of television.

The Solicitor-General: My hon. Friend rightly brings us back to principle. The House and the other place would have to form a clear view about principle, and I agree with him. We have to make up our minds about that and the Government are listening carefully.

I recognise that an essential condition of any televised reporting is that it should be fair and accurate, but that is not necessarily easy to achieve and it is not for lack of good will. Such is the immediacy of the impact of television that there is real danger, especially in jury trials, that it may distort the conduct of cases and the process by which jurors arrive at their decisions. I am conscious that the Bill proposes only an experiment but—to take another analogy—it is a live experiment, which is to be carried out on the trials of real people and we must bear that in mind.

One of the advantages seen by the proponents of the Bill for its introduction is that television in courts would be valuable and educative. A great deal hangs on this claim, because, in essence, if that were not proved to be the case, there would be little advantage in televising courts at all. I have no doubt that it would, in part, serve such a purpose, and that a good deal of coverage would be balanced and informed. I should welcome that because the more that our system of justice can be understood, the more people will respect it and have confidence in it, and that is an essential feature.

However, I must admit to certain anxieties about how matters might develop after the expiry of an experimental period. I am sure that we should see the educational purpose of televising proceedings at its best during the experimental period, but thereafter I am a little less sanguine, although I do not wish in any way to impugn the motives of broadcasters.

Broadcasters would be under considerable pressure to produce vivid, immediate television and it would be easy to cross that fine line between a fair and balanced report—the educative and public involvement aspects—and to drift over into entertainment, if not sensationalism. It is a difficult balance to strike.

Real trials, especially criminal trials, are in no sense a subject for entertainment and no hon. Member suggests that they are. Courts make wonderful theatre and television, but theatre does not deal with the lives of real people. The issues in criminal trials are intensely serious and often involve the need to recount intimate and all too often tragic personal details.

Although there would no doubt be an effort to provide safeguards to prevent the most obvious examples of potential abuse, it is often difficult, from the very nature of the criminal trial, to predict in advance exactly what will

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happen or to foresee all the circumstances that might push the televising of proceedings into prurience and sensationalism.

As we debate these matters, our proceedings are televised and they may or may not be shown widely. Consequently, many hon. Members will naturally have regard to a number of the arguments that were made for and against the televising of Parliament. In the event, and after an appropriate trial period here and experience in another place, this House in its wisdom decided that its proceedings should be televised and I do not think that many hon. Members have had legitimate cause to regret that decision.

To some extent, that argument operates in favour of the Bill. Nevertheless, we should be cautious about drawing parallels. As politicians, we come to the House voluntarily and engage in our debates on matters of general principle and public importance. By long usage, we have become reasonably practised in public speaking—indeed, the cynics might say that some of us actually seek out exposure to the media. None of that is true in the process of a trial.

Judges and advocates may of course become used to the cameras, but the witnesses, victims and dependants seldom will. While we are permitted by the nature of our duties to deal in matters of high principle, they will often have to speak of and publicly expose intimate details about their private lives. I do not believe that the televising of Parliament provides a precedent and I am confident that hon. Members will recognise that a different set of considerations largely applies.

Whatever view the House may take about the televising of court proceedings in principle, I think it only right to record that if it is the will of the House to give the Bill a Second Reading, the Government would have to ensure —or do their best to ensure; this is why we emphasise the principle—that a number of safeguards were introduced to reduce the risk of damage to the fabric of the administration of justice.

It would be necessary to ensure that the cameras were physically as unobtrusive and non-disruptive as possible. Technological advances have made that a much easier process than might perhaps once have been the case. The example of this place is a good one because the cameras here are not obtrusive. However, we must recognise the physical limitations of many of our court rooms and of the older court rooms in particular. As the Caplan report noted, many English court rooms are smaller than their United States counterparts.

Very often, particularly in the sort of trials that I suspect would suggest themselves as most attractive to broadcasters, space is limited sometimes even for victims and their families. It would be important to ensure that whatever arrangements were necessary to permit television should not seriously diminish access to the general public. Only a certain number of cameras should be permitted and they should be permitted to show only certain types of shots, so that—here Parliament is a comparable example —the proceedings as a whole were balanced and there would be minimal inducement for people in the public gallery or elsewhere to disrupt proceedings for the sake of additional publicity that television might bring to their antics.

There are also security matters to be considered concerning the televising of certain witnesses.

Dr. Woodcock: My right hon. and learned Friend has made the telling point that some of our courts are very small and that space is, of necessity, limited. He makes that case in relation to the availability of space to accommodate television cameras and equipment. However, the fact that those courts have limited space is the reason for having television in our courts. In many respects, space is so limited that only very few people can attend the court. The Bill would allow people to see into courts if they cannot gain access because of lack of space.

The Solicitor-General: Up to a point, my hon. Friend has made a good point. The cameras will allow many people to see a little more of what happens in court. However, we may have to be realistic and admit that the viewer will seldom be treated to a sequential view of what happens in court.

Television time is inevitably limited. There has been discussion of whether we should have a permanent channel fixed on the House. Much of such television would be terribly boring, but it would give a true impression of what went on. I do not think that anyone is suggesting that that could be replicated for court television. One would get snippety highlights of real cases affecting real people. Those matters must be balanced.

Only a certain number of cameras should be permitted. As I have said, the type of shots that they should be allowed should be carefully controlled. I have dealt with security for jurors and witnesses and the importance of not exposing them to increased risk of harassment or other interference.

There are certain courts and tribunals from which we should statutorily exclude television. For example, television should not be allowed to extend into magistrates courts or to most tribunals. We shall have to take careful steps to prevent proceedings involving children, whether criminal or civil proceedings, from being televised. It will be agreed on both sides of the House that any public exposure of the traumas and grief of particularly young and vulnerable victims must be avoided at all costs.

Mr. Michael Brown: My right hon. and learned Friend has mentioned some of the Government's concerns, in the event that the Bill is read a Second time, and the safeguards that he would want to introduce. For example, he said that he would not wish cameras to be in magistrates courts. Does not that fact alone show our difficulties with the Bill? There is already enough pressure on innocent people sometimes to plead guilty in a magistrates court because at least there is the certainty of a more minimal fine or prison sentence, whereas they are disinclined to expose themselves to the risk of going to a Crown court.

Does not that prove that even more innocent people will be inclined, on the advice of their legal advisers, to plead guilty in a magistrates court because they would be exposed to the rigours of television cameras if they take a chance and plead not guilty in the Crown court?

The Solicitor-General: There is something in my hon. Friend's point. I should not want to carry it too far, because one does not need to plead guilty in a magistrates court in order to avoid going on to the Crown court. One could plead not guilty and have one's case tried out, and not go on to the Crown court. My hon. Friend would have

a point if that were to prevent somebody from taking trial by jury, which otherwise they would wish to do. That is a factor to be weighed, but I would not put it much higher than that.

We should also have to ensure that no televising could take place without the express consent of the trial judge. That is one of the suggestions that have been made. The trial judge is responsible for the conduct of proceedings in the court over which he presides, and his own assessment, from a uniquely knowledgeable position, of whether in a particular case the risks of allowing televising would outweigh the possible educational advantages must be decisive. I do not think that it would be right in any circumstances to permit the televising of proceedings in circumstances in which the trial judge did not consent to it.

There are also other questions relating to consent, some of them touched on by the Caplan report—whether, for example, the consent of the parties should be required. The Caplan report concluded that it should not, but I should like to reflect carefully upon the matter if the Bill were to make further progress. We are talking about experimentation.

I think also that it would be an important safeguard to give the Lord Chancellor a final decision on whether any particular proceedings or class of proceedings should be televised. Only he, as the Minister responsible for the provision of the higher courts, can take an overall view of the effect of television and, again, I am sure that the House would think it right that he should have the final say in those important matters.

Mr. Lawrence: Does my right hon. and learned Friend consider it remotely likely that any television company worth its salt in this country would want to go in for something requiring such expensive investment which was dependent on the whim of judges, Lord Chancellors or anyone else?

The Solicitor-General: The answer is probably yes, someone might very well want to do it. If not, no progress would be made one way or the other. There would be expense and those involved would argue, with some force, that, having gone to that expense, they should be allowed to show a reasonably wide range of television. That forces us to say that we cannot hedge this around with too many safeguards, because that would be unreal. We must weigh up such matters before deciding on the matter of principle. However, I cannot agree with my hon. and learned Friend that no people will come forward to ask for that.

I do not pretend to have exhausted either the full range of safeguards that would be required or, more importantly, the full range of issues of principle that should be considered before the House decides upon this important proposal, but I hope that I have said enough to indicate how seriously the Government take these proposals and how carefully we have sought to evaluate the potential advantages and disadvantages of this aspect.

My hon. Friend the Member for Ellesmere Port and Neston rightly emphasised that the proposal was to be only experimental and that there must be strict safeguards, but before we proceed, we must remember that these would be live experiments on the cases of real people. Before we proceed, we must be satisfied that the safeguards have a real chance of of being effective and that we do not have to hedge the privilege about so tightly that any benefits are outweighed by distortion. The Government wish to know the views of the House on that matter and, as I said, approach it with considerable caution.

The second aspect of this interesting Bill relates to jury research, I should like to ask the House to consider a number of interesting questions relating to whether the deliberations of the jury should be laid open to academic, and, thus, public scrutiny.

I have no difficulty in starting from the premise that the institution of jury trial is one of the great protectors of our liberties—I believe that passionately—and a means by which we can ensure public involvement and, therefore, public confidence in the trial of important criminal cases. I go as far as to say that, for serious offences, the right to jury trial must be high on anyone's list of those rights which underlie our system of the administration of justice.

I should like to quote the words of Lord Devlin in his book on this subject. He is a most distinguished judge, whose name, I am proud to say, is still the top name on my own chambers. He wrote:

"In a democracy law is made by the will of the people and obedience is given to it not primarily out of fear but from goodwill. But just as important as the frame of the law is its application. The jury is the means by which the people play a direct part in the application of the law. It is a contributory part. The inter-relation between judge and jury, slowly and carefully worried out over several hundred years, secures that the verdict will not be demagogic; it will not be the simply uninhibited popular reaction. But it also secures that the law will not be applied in a way that affronts the conscience of the common man. Constitutionally it is an invaluable achievement that popular consent should be at the root not only of the making but also of the application of the law. It is one of the significant causes of our political stability."

The right to trial by jury, to trial by our peers, is a very ancient right and is regarded by many, myself included, as one of the foundations of our liberties. It commands great public confidence. It seems to work well. In those circumstances, many who have misgivings about jury research warn strongly against meddling with a successful system. They argue—with force—"If it isn't broken, don't mend it."

This does not mean that we can be complacent about the institutions that serve as the basis of our liberties, and I do not criticise my hon. Friend the Member for Ellesmere Port and Neston for raising this subject. Their continuing good function and health should be the proper subject for scrutiny and the Government have not been slow to make alterations to the working of the system to ensure that the interests of justice are secured. Changes have been made, for example, to the age eligibility of jurors. That is right because people live longer, remain alert longer and have longer in their lives to play an active part. Changes have been made to the right to peremptory challenge and to the proper reasons why citizens should or should not be disqualified from jury service.

Nor should we expect, in the context of some 50,000 jury trials a year, that the workings of the jury in every individual case will always be perfect. There will be occasional lapses. There is anecdotal criticism of the way in which the jury system works. Some of it, no doubt, is misguided or based on prejudice or partiality of one form or another. Most research will be well placed, but it is an essential part of our system that, where juries convict in circumstances that are unsafe or unsatisfactory, those errors can be rectified by the appellate process.

My hon. Friend and those who promote this Bill do so from the very best of motives. They argue that it is

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essential that an institution of such importance should be subjected to rigorous scrutiny and that scrutiny can be sound in its method only if it is based on an ability to look at exactly what happens in the jury room. Those arguments were summarised incisively by my right hon. and noble Friend the Lord Chancellor in 1981 when, as Lord Advocate, he said:

"The jury system, great institution that it is, surely can stand up to properly conducted research".

A similar point was made by two English academic writers, who said:

"An institution which represents the very cornerstone of the English legal system and is central to the protection of the liberty of the subject ought to be open to reasonable scrutiny and public accountability, one part of which is responsible research."

So, is the rule of confidentiality of jury room discussions as important as we believe? Secondly, could it be maintained in the face of research? Today, the answers to those questions are not really in dispute. It is fair to say that it is accepted by the House and supporters of the Bill as well as by opponents that confidentiality of the jury room is important and that, even if research is allowed, "publication of any fact or opinion relating to any matter which occurred or was alleged to have occurred in the course of the deliberation of the jury in any legal proceedings in such a manner as to identify the particular case, any party, witness or circumstances"

would remain prohibited and a contempt of court.

I have no doubt that this is wise, because I equally have no doubt that confidentiality is profoundly important. It enables frank discussion. It allows a full consideration not only of the broader issues but of the nuances that are so important to the administration of justice. The confidence of the jury room allows jurors to express and perhaps thereby to exorcise prejudice and views or to ventilate anxieties that they might well not wish to raise or discuss publicly. No worry of libelling anyone even begins to arise. It makes it easier for a juror to change his or her mind, an essential attribute in the give and take of the jury room, and it makes it easier to draw upon and give instances from one's own experience to influence one's fellow jurors.

The question is how far would research inhibit or damage these benefits of confidentiality. How successful would be the strict proviso about non-disclosure and non-publication of any identifiable fact, person or detail? Much would no doubt remain entirely confidential, but it is hard to believe that there would not be leaks. If high-profile cases were the subject of jury research, it might be surprising if there were not leaks and if some were not used to cast doubt on the verdict or on the system. Fears that views and attitudes may become public may themselves hinder and distort the juries' deliberations. Those are the important questions on which we must focus and form a view.

Those who support the Bill will argue that if the jury has flaws, it is better to know of them than to allow them to remain concealed. There may be advantages in learning the view of jurors on a number of matters in order to be able to assist the operation of jury trial. For example, are cases presented generally in a way that is clear and accessible to jurors? Are documents of assistance to the jury? Are visual aids of value? By and large, can the jurors hear witnesses and counsel clearly? That is a fundamental question. To what extent are they helped by the judge's summing up? Should summings up be longer or shorter? Are lengthy reviews of the evidence by the judge of value to the jury? It may be illuminating to have answers to more fundamental questions, such as how seriously, carefully and rationally most jurors approach their task, even if the answers to such questions are awkward.

I have never sat on a jury—some hon. Members will have done so—but I have frequently addressed juries, both for the prosecution and the defence, as an advocate and, as a recorder, I have watched them intently, guided them and given them my summing up. It is my impression that the great majority of jurors take their duties very seriously. They appear to listen carefully, to demonstrate considerable alertness to the key points and to do their very best to be just and fair. They appear, rightly, to dislike prosecutions for trivial matters, even if the evidence is sufficient. That is of value. Above all, they are genuinely good judges of the key matter of honesty and dishonesty.

On the whole, to express a personal view, I am inclined to think, with the Lord Chancellor, that the system would not be seriously threatened by properly conducted research. There would need to be strict guidelines, which would need to be argued through.

That brings us to the question: what is properly conducted research? Here we know less than we are entitled to, which to some extent makes me think that the Bill is premature. What evidence is there that sufficient ground work has been done by way of other aspects of jury research to justify the prize of the secrets of the jury room? Forbidden fruit is often the most enticing, but, until information drawn from jurors themselves is placed in the context of more general research, it may be premature.

It is worth focusing on what kind of questioning should be permitted. The Bill proposes that the research may be conducted in

"a manner approved by the person giving authority, into any specified matters affecting trial by jury".

The matters are no doubt to be specified in the rules, which it is suggested should be rules of court. If that is followed, the issues will be considered by the rules committee.

There may be an advantage in having the kind of rules appropriate to the proper control of research considered by more public discussion, perhaps by careful consideration by a committee similar to that which has considered the matter of televising the courts either by the Bar, the Royal Society or a committee of academic researchers interested in this subject. I do not want to go on too long, so I shall draw my remarks to a close and illustrate just one aspect of that.

An article in *The Independent* of 1 July 1988 by Mr. Sean Enright, a barrister, raised some genuine questions. He suggested a searching line of questions to be carried out by researchers:

"We need to know, for instance, how well juries are applying legal directions relating to proof, corroboration, previous convictions and accomplice evidence. And if necessary we need to know what steps we can take to better communicate legal concepts to jurors."

The last matter about good communications is a comparative general point, but the earlier questions would need to be explored in considerable depth if the answers were to be of any value.

I ask myself whether the jury are the right people to ask about the way in which they have applied directions about proof, corroboration and so on. If there is genuine doubt on those matters, is not the place for such doubts to be explored the Court of Appeal? In a case where corroboration is required, a jury will have been directed by

the judge about what was capable of being corroboration and what was not. If the jury find the case proved, they will presumably have been satisfied that there was corroboration.

That type of question would seem to be better researched by an examination of the transcript of the hearing, considerations in summing up, discussion perhaps with the prosecution and defence lawyers, and a consideration of any proceedings in the Court of Appeal. To ask a juror after the event to look back and to analyse his mind on such a matter would seem to require extremely detailed and intrusive questions, the answers to which might not be easy to evaluate and might lead to misleading conclusions.

In the United States there are no such restrictions. Jurors, in a sense, can be asked questions by almost anybody. The judges much disapprove of it, but there is a conflict in United States law concerning the first amendment, which allows publicity and publication of almost anything, unless there is a clear and evident danger, which virtually means danger of military attack almost related to the Gulf, or something of that nature.

The Americans have suffered from juries being considerably harried by litigators, parties to the case and, to some extent, researchers. Little research has been carried out, but there was an occasion in 1955 when the Senate judiciary committee castigated some researchers for the use they made of their research. Yet careful and balanced research, which would be available in the United States, does not seem to have been carried out, and that raises questions about how quickly we should proceed in the matter.

Dr. Woodcock: We have not suggested that the type of questions to which my right hon. and learned Friend referred are necessarily the right questions to be asked when doing research with jurors. We think that it would be appropriate to address those questions that would enable the juryman to perform his role better. We object to the absolute ban on jury research. We are not suggesting that there should be a free-for-all in jury research, but simply that it is inappropriate to say that never for any reason should a juryman be questioned.

The Solicitor-General: I appreciate my hon. Friend's point and I have indicated a certain personal sympathy towards it. It is an important subject and it is right that we should not be afraid to address the difficult questions to which I referred.

The House will recognise from what I have said that the Government keep an open mind on both issues, but that there are real questions to be answered by the proponents of the Bill before they can clearly be said to have established the principle of change. The Government wish to listen carefully on these matters to the views of the House.

1.9 pm

Mr. John Fraser (Norwood): This is a short Bill, but as is often the case, the length of the speeches has been in inverse proportion to that of the legislation.

I support the Bill. This is not a matter on which we take a party line, but my right hon. and learned Friend the Member for Aberavon (Mr. Morris), my fellow legal affairs spokesman, agrees that we should adopt a constructive and helpful attitude. The Solicitor-General claimed to be neutral on the matter, but it seemed a rather obstructive kind of neutrality.

I shall speak as briefly as I can. The hon. and learned Member for Burton (Mr. Lawrence) argued that television trivialised and sensationalised the facts and would therefore be inappropriate in the courts. It does, of course, trivialise on occasion, and is sometimes in extraordinarily bad taste. It could have other damaging effects: the mere fact that about two thirds of our population get their news from television tells us something about the decline in reading standards.

None the less, when it comes to examining human rights and freedoms, television has much to commend it. I do not think that the recent peaceful revolutions in eastern Europe, and the trend towards democracy and freedom which, although tragically halted in China, is still progressing in the Soviet Union, would have been possible without television: it has provided both a projection of human rights and the advancement of democratic and just institutions. It has played an invaluable part in the emancipation of eastern Europe and other parts of the world. We should consider the positive aspects, as well as the negative aspects mentioned by the hon. and learned Member for Burton.

Televising the courts would, of course, be an experiment. There is a precedent in the televising of the House of Commons. I was a member of the Select Committee on televising as long ago as 1967; some 22 years elapsed between the publication of our report and the launching of the experiment. Even 24 years ago, we saw no insuperable technical problems. Cameras could be small, unintrusive and unintimidating—as they have turned out to be. Lighting, which is frequently complained about, need be no stronger than the lighting required in offices, factories and other premises to comply with the law.

Nor have there been any problems in relation to editing restraint and balance—and the courts will have much greater powers than the House of Commons over editing and exclusion of material. Much as I respect you, Madam Deputy Speaker, it is not open to you to edit any part of this morning's proceedings or to complain about balance or about what can be broadcast; it is, however, open to a judge to exclude evidence when conducting a trial. It is extremely unlikely that any trial will be carried live; that would involve great dangers, and I do not think that anyone has advocated it. The power to edit and exclude, however, is inherent even in existing legislation.

The most important reason for allowing the televising both of Parliament and, experimentally, of the courts is that people are entitled to observe the workings of the institutions that govern their lives and liberties. They have the right to be present—if only electronically—to assess those institutions and to change them if need be. No matter how high and grand such institutions may be, they are not ultimately intended to be sacred or mysterious; they are intended to act as the servants of the population, not the masters. The same sentiments apply to television, but that is another matter.

For centuries, the axiom has been that justice should not only be done but be seen to be done. In practice, few people would want to sit through the unedited proceedings of a court. I must declare an interest as a lawyer. Unless I have been an advocate in a case, I have never had any great interest in attending a trial. My boredom threshold is

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quickly reached and most members of the public would find it difficult to withstand the boredom of a trial. However, they have a right to see a balanced and edited version of how our institutions work.

Television can illuminate the working of the courts, as it has illuminated the working of the House. It can increase people's respect and understanding of our legal system and bring a public lay focus to bear on its workings. It will enable the public, in appropriate cases, to witness matters of interest and concern to them and how the law is being administered.

If I have the right to walk into a court and view its proceedings, why should I not have the right, subject to proper safeguards, to view that through a camera? I should have that right, unless my exercising it diminishes the rights of others, principally the defendant whose case is in issue before the court. I have a right to view, but the defendant has more right to a fair trial without his or her rights being interfered with by the cameras or by my viewing the case. That balance must be struck. In the long term, however, the exercise of my right to view and to reach a judgment may enhance the effectiveness of the administration of justice and the rights of others.

We cannot judge whether televising the courts will, in practice, diminish or enhance the rights of others or remain, like the Solicitor-General's speech, neutral until there has been an experiment and research—hence the justification for the Bill. If research shows that televising the courts is unviable, it can be dropped, but it is worth while to begin research under the rules of court and under the supervision of judges and the Lord Chancellor. Those are immensely powerful safeguards against abuse of such research.

I do not deny that there are problems and that the worst problems will occur in criminal trials. There is bound to be disproportionate punishment and injury to a defendant, regardless of whether he or she is convicted or acquitted. If proceedings relating to a minor case of indecent exposure were televised, the damage done to the defendant would be the same, regardless of whether he was convicted or acquitted, and his suffering would be disproportionate to the gravity of the offence. That is a good argument for not televising magistrates courts.

Juries are told by judges that they must not be influenced by other people or discuss the case, but if it has appeared on television there is a risk of discussion. There is a risk to jurors if their faces are seen on television. However, those matters can be dealt with. The jury should never appear on the television camera. Moreover, the problems of televising trials can be compared with those experienced by jurors when a trial is discussed extensively in the newspapers. I have no problem about imposing reporting restrictions, because widespread restrictions on the press already exist. Without the consent of the defendant, it cannot report on committal proceedings, and there are restrictions on reporting trials for rape, blackmail and other matters.

Although I could list the difficulties involved, there is a strong case for experimenting with cameras in court and not concentrating too much on televising criminal trials. It is possible to exaggerate the difficulties involved in allowing the public access through television cameras, but in many judicial venues it would be almost impossible to imagine interference in the conduct of justice. For instance, I do not see how there could be prejudice in the occasional televising of the Judicial Committee of the other place. If the Chamber of the other place is televised, I see no problem about televising members of that Chamber when sitting in a committee room giving judgment or deciding an appeal. After all, they give their judgment in the Chamber. It would be ludicrous to say that there is no prejudice when the Law Lords are seen legislating, but that there would be prejudice when they were seen passing judgment in a Judicial Committee case.

Mr. Lawrence: The hon. Gentleman's remarks touch on an important question, which I asked my right hon. and learned Friend the Solicitor-General, but to which I received the wrong answer. First, does the hon. Gentleman consider that television companies will have much enthusiasm for televising the courts if everything is to be "cabin'd, cribb'd, confin'd" by all those restrictions and limitations?

Secondly, the difference between televising the courts and televising Parliament is, I believe, that the state pays for the televising of Parliament. I doubt whether television companies will want to invest in the expenditure required for permanent coverage in the courts.

Mr. Fraser: My answer is exactly the same as that of the Solicitor-General—yes. However, to take the matter a little further, the Bill is not an exercise for the benefit of televison companies. They must decide whether televising court trials will be commercially worth while. They may decide that it is not, just as running a newspaper may not be commercially worth while, but that is a question for them and not for us.

The Judicial Committee of the other place deals with some fairly important matters. That would have been appreciated if the conduct and judgment in the Hammersmith swaps case had been recorded on television. That case was not merely of municipal importance but of massive financial importance for this country and internationally. I happen to believe that the legal precision of the judges in another place was not preferable to the Court of Appeal's rather more pragmatic and common-sense approach, but other people might have looked at an edited version of that trial in the Court of Appeal and the conduct of the appeal in another place and formed their own judgment. I mention that case because it is one of worldwide and not just municipal importance. There will be considerable interest in recording such a case as it would show how our courts work. Such coverage would not mean any possible prejudice to the people involved.

What about judicial inquiries into the building of nuclear power stations? Most members of the public would find it impossible to attend an entire inquiry, which would take many months, but such inquiries are of major importance to specific localities. Why should people not have the opportunity to see an edited version of the conduct of those proceedings? Such inquiries may also cover subjects such as whether county hall should be a municipal building or a hotel. I see no prejudice in those events, particularly if the proceedings are edited. I can think of many other examples of non-criminal proceedings which could properly be recorded for television.

On criminal proceedings, I recognise that there is a danger in having trials of first instance televised, but what about the forthcoming appeal of the Birmingham Six?

That case generates transnational interest and the workings of the appeal system are under scrutiny. I shall say no more about that case, as it is before the courts now, but the televised proceedings not just of that case but of others on appeal would generate great interest as they would highlight the workings of the appeal system.

We shall not know whether I am right or, indeed, whether anyone else is until we have had an experiment. However, there are many instances where the cameras could go into a court unobtrusively to reveal the workings of the legal system without prejudice or embarrassment to those involved in that process.

At present it is impossible to interview juries even for the purpose of helping them to do their job better. I believe that there should be a controlled, supervised, anonymous and confidential mechanism to enable questions to be asked of jurors. That would reveal how well they follow the evidence and the documents presented to them. One could also learn how effective was the summing up on their decisions. The Solicitor-General gave a list of questions that could be asked in the course of research on juries.

No one in the House doubts that juries are the cornerstone of our criminal justice system. We do not know how long we have had juries. Some people argue that juries existed before 1066, but it is certainly beyond doubt that they were introduced for criminal trials in 1166 by Henry II. They have the enormous advantage of giving the public confidence in the verdicts delivered. It is odd that people have more confidence in the judgment of laymen than ever they have in the judgment of experts. It is when an expert tells us that something is safe, or something cannot happen, that we need to be on our guard.

There is great confidence in the judgments and verdicts of our peers, and long may that be so. As the Solicitor-General said, juries provide a safeguard against trivialising the law and against unjust laws—in that context, perhaps, one is allowed to mention section 2 of the Official Secrets Act 1911. Certainly juries provided protection at a time when people could suffer capital punishment for the most trivial offences because in those circumstances juries refused to convict. I am sure that that led to a change in the law when less punitive offences were introduced for those engaged in what would now be regarded as minor acts of dishonesty. At one time causing criminal damage to trees was subject to capital punishment.

It is extraordinary that no one has ever been able to carry out research into the way in which juries function. Some may say that the function of the jury is not in doubt and the Solicitor-General said that there is no need to mend something that is not broken. However the report of the Roskill committee, which looked into serious fraud, posed many questions about the function and effectiveness of juries. Although its remit was in relation only to complex fraud trials, many of its remarks about questioning the effectiveness of the function of the jury have equal application to other complex cases involving, for instance, complex scientific evidence as opposed to complex accountancy evidence.

The Roskill report states:

"We doubt whether the public at large appreciates the characteristics of a complex fraud case"—

one could substitute the words "complex criminal case" for "complex fraud case"—

"or the difficulties which face an average juror. World financial markets are becoming more complex, more integrated and interdependent, more competitive and more automated . . . We see now a few cases of fraud where the evidence is so complex and the alleged dishonesty so deeply buried, that even a trained business mind cannot easily encompass the case and all its ramifications."

The report concluded that some fraud trials should have not a jury but a special kind of serious fraud tribunal. I am glad that the Government and the House rejected that proposition, but that does not take away from us the responsibility—as we have chosen to say that even in the most complex cases juries should continue to govern the verdict—of ensuring that juries are better able to discharge their functions. We have confirmed and ratified that responsibility.

Mr. Andrew Mitchell: I hoped that the hon. Gentleman would say that some trials are so technical that a lay jury is not the right body to adjudicate upon them. That is completely different from questioning whether juries should be put through an inquisition to find out whether they are up to the job, which undermines the principle of having a jury.

Mr. Fraser: I am not arguing, and I did not argue during the Roskill inquiry, that there are cases so complex that a jury is not fit to discharge its present function in them. I have never argued that. The verdict of the House is that we should continue with the jury system and I do not want to undermine that. Having decided that juries should continue to give the verdict in serious fraud trials, we need to sustain their ability to understand and properly to discharge their function. If we do not, there is a danger that guilty men will go free simply because the jury cannot follow the proceedings. If that is so of fraud trials, it must be so of other trials. My argument would be sustained if one removed the word "fraud" from the Roskill inquiry and considered just the word "complex". A passage in the Roskill report sums that up:

"When the case eventually comes to trial the juror is faced with many difficulties. He is initially likely to be unfamiliar with the procedure. There may be many defendants, and multiple charges against each."

That goes for other than fraud trials. The report states:

"He may have difficulty in remembering who's who and who is accused of what. The background against which the frauds"—

one could say other crimes——

"are alleged to have been committed—the sophisiticated world of high finance and international trading—is probably a mystery to most or all of the jurors, its customs and practices a closed book."

That is true of other crimes. The report continues:

"Even the language in which the allegedly fraudulent transactions have been conducted will be unfamiliar."

The report states:

"A knowledge of accountancy or book-keeping may be essential to an understanding of the case. If any juror has such knowledge, it is by chance."

The Roskill committee considered the problem of examining documentary evidence and said:

"The evidence before the jury may run to hundreds, or even thousands, of documents. Sometimes these are presented in huge, ill ordered bundles. Little attempt may have been made to summarise or simplify the evidence."

That criticism is true of many other trials. The report continued:

"Sometimes the tactics of the lawyers will seem designed to obscure rather than to evince the truth".

I am sure that that will interest the hon. and learned Member for Burton.

[Mr. Fraser]

The report went on:

"Although the taking of notes by jurors and questions to the judge are both permitted, a juror serving for the first time may not know whether either practice is welcome or useful: a brief, explanatory leaflet which is provided for everyone summoned for jury service falls short of encouraging note-taking, and positively urges restraint in the asking of questions."

The telling paragraph is paragraph 8.33, which says:

"Because direct research on jurors' comprehension of actual fraud cases would amount to a contempt of court, we commissioned a research project of a more indirect nature from the MRC Applied Psychology Unit at Cambridge."

One cannot ask the jurors because of the Contempt of Court Act 1981. The Bill would give us the chance to ask the people involved instead of having to make assumptions about the way in which they regarded these matters.

The House decided to confirm the use of jurors in all complex cases. That does not do away with the issues raised by the Roskill committee which have a wider application than fraud trials. I believe that research would sustain the jury system and, even more importantly, help us to work more effectively.

The Bill would provide for two forms of research. One would allow greater public access to the working of the court and one would help the jury system to work well and to be based on fact rather than on speculation, guesswork and respect for tradition. We are grateful to the hon. Member for Ellesmere Port and Neston (Dr. Woodcock) for introducing the Bill and for the helpful report presided over by Jonathan Caplan.

Television is more controversial than the reform of the law on jurors. We have been asked only to authorise research. A hundred reasons may be advanced against television in the court, but those reasons are usually rationalisations against making changes. There are certainly strong reasons for not diminishing the role of juries, but we are not being asked to change anything. The Bill merely provides for a factual basis on which we can make judgments. There is no single reason to oppose the proposition.

1.37 pm

Mr. David Evennett (Erith and Crayford): I am pleased to support my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock). The Bill is an important but modest measure. I congratulate my hon. Friend on his excellent and vigorous speech in which he defended and explained the proposed measure. Unlike most of the participants in today's debate, but like my hon. Friend, I am not a lawyer. I am neither pro-lawyer nor anti-lawyer. I support the Bill not only as a sponsor, but as someone who recognises that it deals with an issue that is important not only to lawyers, but to many professions and to society in general.

In a democracy, it is absolutely essential to have an impartial and open system of justice. "Open" in this day and age—when even the proceedings of this House are televised—must mean open to scrutiny by a much wider public via television.

I listened with considerable interest to the two halves of the speech made by my hon. and learned Friend the Member for Burton (Mr. Lawrence). As a practising and successful lawyer, he has much to offer the debate. However, his argument was fatally flawed because he failed to take into account the real issue which some of us have raised or will raise today. The media already have wide access to the courts. They report the spectacular court cases on television and in the newspapers.

The witnesses and the legal performances are already analysed on the news at 9 pm and at 10 pm. We often have comments on the participants and witnesses, and on what was and what was not said. We have artistic impressions on the television screen depicting the court room during the day. We often have trivialised and graphic accounts in the mass media of what has happened in major court cases. At present, the public are denied the right to make their own observations in appropriate cases because they are denied direct access to the courtroom. The public get everything secondhand from journalists and from legal experts on television or in the newspapers. The Bill examines that fundamental issue and calls for change and experimentation so that the public can have wider access to what is going on in the courtroom rather than such matters being presented to them by experts on television. I immensely enjoyed the speech by the hon. Member for Norwood (Mr. Fraser), especially when he said that whenever experts agree, they are invariably wrong. I believe that we should discount experts.

I want to make three observations about the Bill—on the role of society and television today, on education and on juries. Legal proceedings are a serious business. If one reads history books, one finds that in a different era courts were treated rather like theatres and played to packed audiences. As my hon. Friend the Member for Ellesmere Port and Neston said, the Criminal Justice Act 1925 ensured that there was a more sombre mood in the reporting of court cases. We have moved on into the 1990s.

Television is the communication medium from which the majority of people derive information. It is easy to be superior about television, to take intellectual stances and to criticise television programmes, but it is a fact of today that television is important.

I was surprised when my hon. and learned Friend the Member for Burton suggested that television was coming into people's sitting rooms purely for entertainment. Many people use television not for entertainment, but as a means of gaining information, of education and of keeping in touch with areas of society and the world that they have never visited and to which they cannot get. That is important when we consider televising the courts,

It is all very well to say that anyone can go into a court. That is, of course, the case as long as there is enough seating for people to watch the performance and to enjoy or to learn about what is going on. We know that the seating in Parliament is limited and that only a certain number of people can watch the House each day. People cannot come to the House and watch the proceedings as often as they would like. Television has given them that opportunity and television would give people the opportunity to watch sections of court cases so that they could be informed about what goes on. Hon. Members cannot say that everyone can walk into any court. It is not practical in terms of space in the public gallery and people cannot get from one side of the country to another or to the capital to see a trial at the Old Bailey because of the expense involved.

The thought that the presence of television would inhibit courtroom performances by witnesses or would encourage laywers to perform to the cameras and to star nightly on the news is too ludicrous for words. There is

already theatricality in legal proceedings. We know that from observing court cases ourselves. In my university days at the London school of economics, I took a legal institutions course and I went to various courts to see how the legal system worked. Televising the House has not altered the performances of individuals. Most of us do not know where the cameras are and do not notice what they are doing because we have a point to make, a job to do and issues to raise. We do not look at the recording of this or that occurrence or of a particular debate. We consider the issues and we tackle the job that we have to do.

People in court—lawyers, judges, recorders and whoever else—will continue to do their jobs irrespective of who may be in the public gallery, drawing a sketch or writing notes on the performances or the events of the day. We can discount the argument that television would change or inhibit court proceedings.

I do not understand why television should be feared. It should be welcomed and encouraged because it has advanced society and the lives that we lead. There was a long debate in opposition to televising the Chamber. I intended to ask my hon. and learned Friend the Member for Burton whether he was against televising the House, because if one closed one's eyes and listened to him, one would have realised that many of his arguments were those that were advanced by opponents of televising the House.

Television is not the horror that it is made out to be by those who oppose televising the courts. However, I accept the arguments that the Solicitor-General made in a very balanced speech, although it was a little too neutral from my point of view. Hon. Members supporting the Bill recognise that televising the courts will have to be done carefully and that we shall have to be cautious in certain cases. However, we should not dismiss the opportunity to televise certain court cases merely because we realise that it would not be sensible to televise others.

Like my right hon. and learned Friend the Solicitor-General, I have never been a juror, but a number of my constituents have come to see me because they are worried about serving on a jury. They have no courtroom experience and are frightened of what lies before them. They are not lawyers and fortunately they do not have any experience of courts from their private lives. Therefore, they are uneducated in the workings of a court, of how cases develop and of what they are expected to do. There is no training for jurors. They are summoned to serve on a jury and they are presented in a rather intimidatory fashion with the job that they have to do. Televising trials would give people the opportunity to understand what is going on and to see a courtroom for themselves before they become jurors. That is an important aspect of the educational role offered by television.

Television and videos have become important means of giving wider experience to our children at school. We may all regret that the button on the television at home is not turned to the off position more frequently, because our children, and society in general, watch too much television. Nevertheless, televising the House has given people an interest and an education in certain aspect of how Parliament works and television could do the same for the courts. If courts are televised at least when people become jurors they will have some idea of what a courtroom looks like and of the roles and duties of the people who perform in courts.

Mr. Stern: Does my hon. Friend agree that he is talking about only one part of the problem? Like him, I have constituents come to me when they are summoned to jury service because they are worried about what they will have to do. However, they are not so worried about courtroom procedure, which they are reasonably familiar with—after all they can go to a court and look. People in ordinary jobs are worried about finding themselves in the jury room at the end of a six-month trial having to decide upon a complex fraud case. At the moment that is a totally closed experience to anyone who is summoned to serve on a jury. Does he agree that the type of experiment that we have been discussing may help to remove some fears about that end of the experience?

Mr. Evennett: I absolutely agree with my hon. Friend. He has described succinctly the fears that have been expressed by our constituents about the difficulties and complexities of being a jury member. The fear of being in court and on a jury and not being able to understand the complex issues has led jurors to tell me that they were relieved to get back to work and to leave that job which they recognise is invaluable in our society. I passionately believe in the jury system and I do not want it to end. Removing juries would be a disservice to our country.

We must not be afraid of experimentation. We must not be put off by the difficulties involved in research into juries or of having cameras in courts and the initial problems that might arise. We must make progress. My hon. and learned Friend the Member for Burton referred to trendy or liberal vicars. I had not imagined that a supporter of this Bill could be described as liberal in the sense of doing something just because it was fashionable. However, I must admit that even the Church has used modern media to promote its cause effectively.

The Bill offers an opportunity to expand education and knowledge and also to make the system more effective so that justice is done and seen to be done. I support the Bill in the interests of justice in an attempt to improve justice. Our legal system is first class. It is the best in the world and I say that as a non-lawyer and someone who is proud to be British and part of the British judicial system. However, that does not mean that the system cannot be improved. It would be regrettable if Members who are prominent lawyers tried to kill the Bill by speaking at such great length that we do not have the opportunity to take the Bill to Standing Committee to discuss the difficulties and problems to which reference has been made in this debate.

Killing the Bill would not be in the interests of justice and it would certainly not be in the public interest. People will be disappointed if they do not have access to the courts via their television sets with the restrictions described wisely by my right hon. and learned Friend the Solicitor-General.

People do not love lawyers or politicians. However, as a result of the televising of our proceedings, more people have been able to hear and see at first hand what we are saying and doing instead of having to rely on experts on the television telling them what politicians have or have not said. By turning on the television, people have an automatic opportunity to see what leading members of the Government or the Opposition are saying.

Mr. Summerson: My hon. Friend referred to people watching us on television. Does he agree that that can be misleading because people tend to believe that we do everything in the Chamber?

Mr. Evennett: I do not agree with that. I am a member of the Select Committee on Education, Science and Arts. Our proceedings on that Select Committee have been televised and people have written to me after watching the broadcasts. If people were to see the Chamber today and on other occasions when it is three quarters empty, they would wonder what on earth we were up to. Fortunately most of us receive a great deal of constituency correspondence. Our constituents know that we spend much time answering their letters. My hon. Friend the Member for Walthamstow (Mr. Summerson), who has an excellent constituency record, writes many constituency letters. His constituents know that when he is not in the Chamber is is elsewhere looking after their interests.

If the broadcasting of court proceedings is shown to promote public understanding of the legal system without impeding the administration of justice—that is a very big rider—a significant reform will have been accomplished by the Bill.

1.54 pm

Mr. Andrew Mitchell (Gedling): Several of my hon. Friends will seek to catch your eye, Madam Deputy Speaker. As we have only 36 minutes left, I shall try to keep my remarks rather briefer than I had intended. I had wanted to make a large number of points. I listened with great care to the powerful and eloquent speech by my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock). I was deeply sceptical, but my hon. Friend changed my view to mere scepticism.

My hon. and learned Friend the Member for Burton (Mr. Lawrence) went to the heart of the matter. The point about whether television would foster better understanding of the courts, which was at the heart of the speech by my hon. Friend the Member for Ellesmere Port and Neston, was not effectively made. The idea that the televising of courts would be an experiment is patently absurd. We all know perfectly well that once television cameras are in the courts they will be there to stay. Anyone who supports the Bill should not attach any weight to the idea that it would remain an experiment. My hon. and learned Friend the Member for Burton wondered whether it would become a media circus. He said with great percipience that education is the price that television pays for entertainment. That is right. There must be a serious and legitimate concern about the possibility of our courts being degraded.

The case for television as a possible weapon in the army of deterrents was not well made by my hon. Friend the Member for Ellesmere Port and Neston. There is clear evidence that television coverage can deter potential criminals. One needs think only of the amount of time that was recently spent in the House condemning badger baiting and urging that the law be changed. I say that because my hon. Friend the Member for Boothferry (Mr. Davis) is on the Government Front Bench. I know of his deep concern about the future of the badger. There is no doubt that if the public, who are already revolted by badger baiters, were to see a trial on television and the evil people in the dock, it would certainly reinforce the deterrent effect of the law.

Mr. Michael Brown: My hon. Friend leads me to my worry about the Bill. I am not sure whether he is on to a very good point. The type of people who are likely to commit the offences that are to be outlawed under the Badgers Bill, if it receives Royal Assent, are disagreeable. However, for them to get into the courtroom, which might be televised, and for them to be convicted they would need witnesses to give evidence against them. Might not those witnesses, by the very presence of television, be intimidated and not give evidence on the ground that, when they leave the court room, they might fear for their own safety? That is my concern about the Bill.

Mr. Mitchell: My hon. Friend is on to an extremely good point about the effect that television would have on witnesses. Were it not for the time, I would have spent some time dealing with the effect of television on witnesses appearing in court and on witnesses being willing to testify. I imagine that that is an extremely frightening experience. I am at one with my hon. Friend on that point. I used the badger example purely because I noticed that my hon. Friend the Member for Boothferry is on the Treasury Bench and that is one area in which the case made by the proposer may have some justification in that the proposals might have a deterrent effect.

I read with great interest the Bar Council's extremely interesting and well-written report. There is no doubt that barristers like taking part in public affairs, but the report must be seen in context. It makes the case for television. It does not seek to give an impartial view of whether television would be a good thing. It seeks to put the case for the Bar Council that television would be a good thing.

The report contains a number of flaws, of which I shall refer to two that have already been mentioned briefly. First, the report refers to the example of the United States. However, television cameras have been allowed only into the state courts, not the federal courts. There is no evidence that permission would be given for that. Secondly, the list of countries that allow cameras in their courts is not all that impressive. The case for television in court has not been made in several of our Community partner countries. Furthermore, the list of senior judges who have come out in support of television does not in any way make the case that many judges are in favour of the proposals.

Therefore, although I read the report with great interest, I did not find it compelling. Television would inevitably focus on the sensational and the salacious. In many senses, television is the great trivialiser and it would not be a benefit to justice.

There are other reasons for opposing the proposals. The Bar Council recommends that broadcasters apply on a case-by-case basis, but presumably some cases could be excluded. The Bar Council states that a judge could decide to exclude the cameras halfway through a case. What about the position of the defendant? That is a cavalier approach to what would be a major change to the current system of justice. Why should some cases be broadcast and not others? Where is the justice in that?

Mr. Peter Bottomley: My hon. Friend is not being as serious as he often is. At the moment, we allow the press to decide which parts of a court case to pick and which cases to attend. Allowing television the same discretion, even on a research basis, is not a difference of principle. The key point is whether my hon. Friend is arguing the

historic negative—that we cannot do something in a new way because it has not been done that way before. Or is my hon. Friend arguing that things are so self-evidently right that there should never on any account be any research on jurors or any television trials for whatever purpose? I could understand that, but to say that because we have not had the experience, we cannot say that something is a good thing strikes me as the argument for abolishing this place, because we tend to change things.

Mr. Mitchell: My hon. Friend is behaving like a barrister—he is knocking down a case that I have not even put. If he reads *Hansard* carefully, he will see that I was making neither of those two arguments. It is interesting that there has been no discussion of whether radio should be allowed in the courts. There is nothing about that in the Bar Council's report. As I have said, it left me with the feeling that members of the Bar like to take part in public affairs. They have a view about life and want to pass it to a wider audience.

I should like to read to the House some of the eight reasons given in the Bar Council report in favour of what it is seeking. The report refers to

"the experience of our legal colleagues abroad. The televising of their courts has been overwhelmingly favourable."

I did not see any evidence for that view in the report. Television may or may not be good for justice, but the evidence is not in the report.

The report also states:

"The 1925 ban on photography in court was intended to apply to sensational stills photography and was simply extended without debate to television when it became commercially available. Parliament has never considered the issue of televising the courts."

Again, all that may be true, but that is an observation, not a reason in favour of what the Bar Council is proposing.

The report continues:

"Television is today the most important news medium. Over 70 per cent. of our population rely upon it as the principal source of their information."

So what? Will the processes of justice be enhanced as a result?

As I said, I read the report with great interest, especially its seventh conclusion, which states:

"Televising the courts would have an informative and educative value."

But that is not what the courts are for. It is a clever and interesting document, but, although it is deeply thought provoking, it does not make a strong case.

I shall not examine the effect of television on the witnesses, but I shall look at the effect on the jury. A number of my hon. Friends have told us whether they undertook jury service. I did undertake jury service, on one occasion and shortly before I was elected to this place. I went to the Old Bailey and was part of a jury—indeed the foreman—on a two-day trial. Although the experience was deeply educational, it did not make me feel that the jury system was in need of enormous improvement.

One improvement has been made since that time. On the first day that I arrived, dressed in a suit, very much as I am now, I could not understand why, in every case in which I was presented as a juror, there were shouts of "object" from the defence barristers. I rang one of my friends in the legal profession—I have nothing against lawyers and some of my best friends are lawyers—to ask him about this phenomenom. He explained that I was not correctly attired for going on to a jury. He advised me to turn up in a pair of jeans, a pair of suede shoes, a roll-necked jersey and a pair of those Leon Trostsky glasses that were very much favoured by my hon. Friend the Member for Elton (Mr. Bottomley). Immediately, I was on trial the next morning. The piece de resistance was the rolled up copy of *The Guardian* that I had under my arm.

Mr. Stern: Does my hon. Friend think that the reason why he had so much difficulty getting on to the jury was the colour of his tie, which appears to be a political statement?

Mr. Mitchell: Fortunately, the problem did not arise when I turned up on the second day wearing a roll-necked sweater.

There is no doubt that the effect of television on jurors and potential jurors would be substantial. When they have a break, juries are told not to discuss with anybody else the case that they are trying. That important principle would be undermined if television were allowed into the courts. I am sure that some jurors would want television and others would shun the very idea. It would lead to pressure and could change the verdict. That point should occupy us most in our discussions of this matter.

I have exceeded my self-allotted time limit so I shall not make many of the other points that I could make. It would be a mistake for the provisions of the Bill to be enacted. I apologise to the House because I shall not be here at 2.30 to vote, but, were I here, I should vote against Second Reading. The Bill would not enhance the process of justice and such enhancement should be our key aim.

2.7 pm

Mr. Michael Stern (Bristol, North-West): Many of the arguments for and against the Bill have already been well covered and I shall concentrate on just a couple of specific points. We are going through not a crisis—that is too strong a word—but a period in which the role of our courts and the facilities with which they dispense what most people accept as justice is under deeper question than I can ever remember their being during the whole of my adult life.

I wish to explore whether the advent of even an experiment of televising part of or all our court proceedings would assist members of the general public in deciding whether what they regarded as justice was being dispensed in the courts. On balance, I come to the view that the exposure of many of the arcane procedures of our courts would be of assistance in determining whether those procedures were as acceptable to the public of the 1990s as they were, one assumes, to the public of the 1890s.

My initial reaction to the Bill, in so far as the measure is purely experimental, is to welcome it. The courts will gain from such exposure, even if it is merely experimental. Unlike my hon. and learned Friend the Member for Burton (Mr. Lawrence), who expressed doubts, I believe that once the experiment has been conducted the courts, the legal professions and legal departments may well decide that the experiment has been sufficient and that we need go no further down the road of constant exposure of our courts to television.

How often do all of us in our surgeries and going around our constituencies come across ordinary people on middle incomes who believe that justice is no longer for them, while people on low incomes have access to the courts through legal aid and people on high incomes or

[Mr. Michael Stern]

with considerable wealth have access to the courts through their own resources? Between those two extremes are people for whom any contact with the legal process is a disaster. If they are accused of an offence of any sort, whether guilty or innocent, they believe that they are broken before the process starts.

Mr. Arbuthnot: My hon. Friend makes a good point. It was suggested earlier that the introduction of television into the courts was likely to increase public confidence in our legal system. The public confidence that does not necessarily exist in our legal system is absent not because of a lack of visibility of our courts system, but because of the cost of court proceedings and the delays involved in the judicial system. Does my hon. Friend agree that it is not because television cameras are not there?

Mr. Stern: I understand my hon. Friend's point, and he is right in part. The existence of television in court would help not so much to increase knowledge of the system as to throw light on those parts of the system that could be susceptible to change, given sufficient pressure, to make the courts more open to the ordinary individual. The fear of the legal process—fear is the only word to describe it—may be heightened when people see a six-month fraud trial on television. Any one of us could stand accused of fraud in our day-to-day dealings. I am sure that that does not apply to my hon. Friend, but it does apply to most of us. We would then have to face a trial which, if the Bill were enacted, would be seen on television. The fact that it would be on television would increase public pressure for a more user-friendly system of courts and of access to justice. That would deal with some of the present problems. I accept that the problem is not directly one of knowledge, but indirectly knowledge would aid in changing the system.

I intervened in the clear exposition of the purpose of the Bill given by my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock). Any hon. Member who has experience in constituency work of the most deeply felt cases involving the physical abuse of children will know that that is where the fear of the judicial process is greatest. Any adult accused of abusing a child in any way will find that, however fairly the system is conducted, it seems to be biased against the adult.

My hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) said that the system would not necessarily alter the absolute bar on televising or the use of photography in cases involving children and I accept that in cases involving children who are asked to take the witness stand, whether in front of or behind a screen, he is right. But I wonder whether the fear of the judicial process might be eased if the cameras were allowed, on an experimental basis, in that part of a case involving a child when an adult was giving evidence or otherwise appearing in the case. In my experience of such cases—unfortunately, in the county of Avon, where there tend to be a number of such cases, I have had exposure to some of them—adults frequently need an opportunity to justify themselves in public. Too often that opportunity is not available under our present courts system. The experiment that would be initiated as a result of the Bill might increase at least the perception of justice in such cases.

Because of the lack of time, I will raise just one final point concerning the jury system. I have never served on a jury. Apart from being a Member of this place, I was previously in a profession in which it was rare that I was not able to put to the court a case for saying that my profession did not allow me to be a juror because of the risk of the length of time that I would be away from my work. In the 1970s when I was a parliamentary candidate, having been called as a juror at the central criminal court, the fact of being a candidate debarred me from every jury available at the time because I could not tell the court in all honesty that my profession enabled me to be on a trial of the length that that court anticipated.

Many of my colleagues in the accountancy profession are in a similar position. They are potentially liable to jury service, but the fear of what that service could do to them in their professional or business activities means that their first reaction on being called is to look for excuses to avoid serving. In part, I suspect that such pressure is unavoidable, certainly for so long as we submit jurors to trials of the length to which we have referred today. In part also, however, the reason why so many people try to avoid jury service as soon as they are called is ignorance of what being a juror involves. Again, the experiment that the Bill would permit could help to break down that fear of jury service. For that reason, I commend the experiment to the House.

Like my hon. Friend the Member for Gedling (Mr. Mitchell), I apologise for the fact that, because I have to catch a train to my constituency, I may not be present if a Division is called at the end of the debate. Meanwhile, however, I wish the Bill well.

2.18 pm

Mr. Peter Bottomley (Eltham): I congratulate my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) on the way in which he introduced the Bill. Unlike some others, I did not parachute into the debate with a prejudice one way or the other. Debates of this type in the House prove the advantage, as has happened on other occasions in the recent past, of listening to the arguments on both sides. It is then possible to be conscious of some of the issues, but to reach a view on which side to take.

In this case we must decide whether the broadcasting and recording of trials should take place at some stage, and under what conditions that should occur. I come to the conclusion at the end of the debate, having listened to as much of it as any hon. Member present—perhaps with the exception of my hon. and learned Friend the Member for Feltham and Heston (Mr. Ground), who has listened to all of it, even though he may not have an opportunity to speak—that broadcasting and recording should at some stage be allowed, and I believe that the way that is recommended in the Bill would be the right way to do it. I think that it is better for strict controls to be available to the courts and the Lord Chancellor than for us to try to write regulations into primary legislation.

Research into the jury system and jury experience is, I believe, worth while. I do not think it essential for the Bill to be passed this year, although I shall support it enthusiastically if it comes to a vote, but I certainly feel that we sometimes disregard important points.

First, the experts are not always wrong—being in possession of the facts often helps people to reach

judgments. I hope to demonstrate that point next Tuesday in relation to the legal implications of mass random breath testing. Only if we have the facts can we improve things. Government and Parliament tend sometimes to ignore the importance of commissioning effective research, the conclusions of the research that we do commission and, finally, the fact that we should do something about the system.

Secondly, we underestimate the competence of broadcasters. I agree with what has been said about the relevance of radio as well as television, but I think that that would be better discussed in Committee. In general, broadcasters write guidelines for themselves and if those guidelines are observed, they will ensure our safety and their competence. I have read the BBC guidelines, although I have not read those of ITN or the regional commercial television companies, and I congratulate the BBC. If followed, those guidelines can get rid of most of the controversies. For instance, I believe that the problem involving the programme "Real Lives" resulted from the BBC's failure to follow its own guidelines. If he is responsible for them, Will Wyatt—who has just become managing director of BBC television—should also be congratulated on the guidelines. They can be bought for £5 at the BBC bookshop.

If broadcasters write their own guidelines they can discuss them in advance, which is better than the assumption that, because a broadcast has proved embarrassing, the broadcasters are all wrong. Broadcasters have editorial discretion, in that they cannot be told what to broadcast, but they can decide for themselves—and, if necessary, be told by the rules of the courts—what they cannot broadcast. That, surely, is right.

Nothing is necessarily intended from the beginning to be permanent. Permission for the construction of the Eiffel tower was granted only on condition that it was taken down immediately afterwards; yet it now symbolises France, as justice symbolises Britain. We cannot claim that our system of justice is perfect; if it were, we should not have a cascading appeal system. But we know that we must play by the rules and seek what is right.

I am not a lawyer, but I will tell two stories that are doubtless common currency at all lawyers' dinners. The first is of Lord Denning being told that the House of Lords had upheld one of his judgments. His response was, "I still think I was right." The second is of a judge meeting a friend outside the High Court. The friend asked, "Going back in to dispense justice?" to which the judge replied, "No; my job is to play the game by the rules."

Concern has been expressed about the effect of televising on witnesses. For a witness, the most intimidating aspect of a case is being told by a barrister, "I put it to you that . . .", followed by a series of claims which may not be true. The witness then has to find his way out of a web that has often been woven by someone who has read a book called "The Art of Cross-Examination", explaining how people can be tripped up and tested almost beyond breaking point. I do not think that the addition of televising will do much damage.

Our first aim should be to have less crime, and understanding the court process might help with that. We also want less conflict ending up in the civil court. Although I do not believe that we should be frightened of the law or of courts, I believe that we should reduce the number of cases that come to court. We should search for a better system of justice, and, as my hon. Friend the Member for Bristol, North-West (Mr. Stern) pointed out, we should aim for a cheaper way of administering justice effectively. We do not want cut-price, ineffective justice, but we want justice to be both more efficient and more economical. I think that commissioned research could be helpful in all those respects.

I do not think that the Bill would necessarily lead to the permanent televising of cases, although that is possible. I believe, however, that if we allow the law to remain the one forum in which, without primary legislation, no one can record for research or broadcasting purposes, we shall be holding ourselves apart from the radio and television age. It is, after all, through the broadcast media that most people find out what is going on.

The Bill should be given a Second Reading. If it is not, I hope that the Government will consider the debate and see whether some form of broadcasting can be allowed in the courts.

2.24 pm

Mr. Michael Brown: (Brigg and Cleethorpes): I told my hon. Friend the Member for Ellesmere Port and Neston (Dr. Woodcock) yesterday that I should like to speak for perhaps 20 minutes or half an hour. It is clear that I shall not be able to speak for long.

I commend the way in which my hon. Friend presented the Bill. We have had a worthwhile debate. My hon. Friend's motives cannot be challenged and I admired the way in which he put his case and the arguments that he used to support it.

I was persuaded by the speeches of my right hon. and learned Friend the Solicitor-General and of my hon. and learned Friend the Member for Burton (Mr. Lawrence), who said that although the intentions of the Bill are honourable, if we were to give it a Second Reading we should be opening a large can of worms.

I am concerned about the long-term impact of the Bill. I accept that it proposes an experiment, but, as supporters of the Bill have said, the aim of the experiment is to prove that televising courts will be worth while. That is the objective of the Bill and I do not complain about it, but we cannot say that it is simply a dispassionate experiment to prove or disprove the proposal. It is being proposed on the basis that there is a case for having television cameras in the court room.

I am concerned about witnesses being intimidated by television cameras. I spoke a couple of days ago on clause 25 of the Criminal Justice Bill, which lists categories of sexual offences. The careers of witnesses or defendants are often ruined by appearing in court, with all the attendant press publicity. I am trying to imagine the effect of the Bill if the experiment were to become a permanent feature of our judicial proceedings—

Dr. Woodcock *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 22, Noes Nil.

Division No. 77] **[2.28 pm**

AYES

Barnes, Harry *(Derbyshire NE)*	**Campbell, Menzies** *(Fife NE)*
Boateng, Paul	**Carrington, Matthew**
Bottomley, Peter	**Cash, William**
Boyes, Roland	**Cook, Frank** *(Stockton N)*

Cox, Tom
Dixon, Don
Evennett, David
Fraser, John
Greenway, Harry *(Ealing N)*
Irvine, Michael
Knapman, Roger
Lawrence, Ivan
Morris, Rt Hon A. *(W'shawe)*
Owen, Rt Hon Dr David
Shore, Rt Hon Peter
Skinner, Dennis
Spearing, Nigel

Tellers for the Ayes:
Dr. Mike Woodcock and
Mr. Humfrey Malins.

NOES

Nil

Tellers for the Noes:
Mr. Michael Brown and
Mr. James Arbuthnot.

It appearing on the report of the Division that 40 Members were not present, MADAM DEPUTY SPEAKER, *declared that the Question was not decided, and the business under consideration stood over until the next Sitting of the House.*

Private Members' Bills

ROAD TRAFFIC (TEMPORARY RESTRICTIONS) BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put and agreed to.*

Bill committed to a Standing Committee pursuant to Standing Order No. 40 (Committal of Bills).

PARISH COUNCILS (ACCESS TO INFORMATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 March.

EDUCATION PROVISION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 March.

WAR PENSIONS (DISREGARD) BILL

Order for Second Reading read.

Madam Deputy Speaker (Miss Betty Boothroyd): Not moved.

PUBLIC SAFETY INFORMATION BILL

Order read for resuming adjourned debate on Second Reading [8 February].

Hon. Members: Object.

Debate further adjourned till Friday next.

DOMESTIC SMOKE ALARMS BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Second Reading what day?

Mr. William Cash (Stafford): On the proposal of my hon. Friend the Member for York (Mr. Gregory), who is in charge of the Bill, Friday 1 March.

Second Reading deferred till Friday next.

COLD CLIMATE ALLOWANCE BILL

Order for Second Reading read.

Madam Deputy Speaker: Not moved.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 27th February:

(1) notwithstanding the provisions of Standing Order No. 14 (Exempted business), if proceeding on the Motions in the name of Mr. Secretary Newton relating to Pensions, Social Security and Terms and Conditions of Employment have not previously been disposed of, Mr. Speaker shall at Seven o'clock put successively the Questions thereon; and

(2) if proceedings on the above Motions have not been completed before Seven o'clock, the Private Business set down by direction of the Chairman of Ways and Means for consideration at that hour shall stand over until the conclusion of such proceedings, and the said Private Business may be proceeded with though opposed, for three hours after it has been entered upon.—*[Mr. David Davis.]*

Ordered,

That, at the sitting on Monday 4th March, notwithstanding the provisions of Standing Order No. 14 (Exempted

business), if proceedings on the Motion in the name of Mr. Secretary Baker relating to Prevention of Terrorism (Temporary Provisions) have not previously been disposed of, Mr. Speaker shall at Seven o'clock put the Question thereon. *—[Mr. David Davis.]*

New Town Housing (Scotland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. David Davis.]*

2.39 pm

Mr. Robin Cook (Livingston): I am grateful for the opportunity to revert to my constituency role and to raise a matter that is of considerable concern to several thousand of my constituents who are tenants of Livingston development corporation. The matters that I will raise are common to the other four new towns in Scotland. The House will understand why I will confine my remarks mainly to Livingston, which I represent and which I know best.

Until last month, the future arrangement for the houses in the Scottish new towns was unsatisfactory from our point of view, but it was at least clear. Since last month, the position has remained unsatisfactory, but it has now become confused as well. There are two matters of contention that I want to raise, and I suspect that the Minister has anticipated the points around which I shall weave the argument.

First, what happens to the stock of the new towns when they are wound up? Until 1987, as the Minister will be aware, the position was fairly clear. It was anticipated that the housing stock would transfer to the appropriate district council. Indeed, a working party under the Scottish Office sat for two years and carried out considerable work on the management and financial arrangements for the transfer.

In 1987, a White Paper, without consultation or explanation, entirely reversed that position with the following flat statement:

"the automatic transfer of the entire housing stock to a local authority can no longer be regarded as consistent with the Government's aim of increasing diversity and choice."

The Government have a mega-problem in reconciling that statement with the consistency that they seek in their housing policy. The mega-problem is that, for years, Ministers have promised tenants of new towns and elsewhere tenants' choice and they have made great play of that issue. Unfortunately for Ministers, all the evidence is that the tenants in the Scottish new towns who wish to continue to rent houses overwhelmingly wish to do so in future from the district council. That is the most popular choice of future landlord for those tenants.

The most recent survey was carried out by the Scottish local authorities for new towns in May 1990. The survey found that three quarters of tenants across the five new towns would choose the district council if they had to do so now, and two thirds of them gave a clear indication that they would choose the district council when the wind-up arrived.

The Minister comes to the debate with a fresh mind and a clean sheet. I will not seek to hang around his neck the mistakes of his predecessors. I trust that he will apply to the issue the clear thinking that we can expect of someone who is unencumbered by recent history. However, I warn him that his predecessor in the matter was on occasion forced to adopt a rather inelegant posture as he tried to find a position from which he could not see the clear majority.

When the matter was debated last year during the passage of the Enterprise and New Towns (Scotland) Bill, the Minister, who is today Secretary of State for Scotland,

[Mr. Robin Cook]

referred to the Government's own survey of the opinions of tenants in the new towns. That survey was carried out before the survey whose figures I have just quoted to the House. During the debate, the Minister said that the Government's survey showed that barely 50 per cent. of tenants would prefer the district council. There is a thin dividing line between "barely 50 per cent." and a clear majority. Without quibbling over how to define it, I must point out that the figure was 58 per cent. who said that they would choose the district council if the new towns were wound up now.

Not only is 58 per cent. a comfortable working majority with which both I, and I suspect yourself Madam Deputy Speaker, would be content in the forthcoming general election, but it was twice as high as the total figure for all other landlords quoted for anyone else in the survey. It would be an outrage if the tenants who voted by such a large majority for the district council to be available to them as an option, were denied that option. It would also most certainly be inconsistent with the Government's policy of tenants' choice.

Since that debate, an even more pointed inconsistency has emerged. Since the House debated the Enterprise and New Towns (Scotland) Bill on Report, regulations were laid down last year by the parallel department with responsibility for new towns in England, which provides for the winding up of English new towns. Those regulations clearly and explicitly provide that every tenant of a new town house has the right to choose their future landlord, and that that choice shall include the local authority with housing responsibility. Nothing less will do for the tenants of Scottish new towns and there is no way in which he, or any of his colleagues in the Scottish Office, will be able to defend such a glaring inconsistency in Government policy as not to offer the tenants of Scotland what has already been offered to tenants in England.

We have moved a year on from that Report stage. When the Minister responds to the debate I hope that he will give us some sign of how the Government have reflected upon this matter and developed their thinking in the year since we last debated these matters in the Chamber.

Secondly, I wish to press the Minister on the matter that prompted today's debate. What makes it disappointing that Government thinking has not moved further on the future of the housing stock in the past year is that the Minister has found time for a dramatic change of policy on the management of the housing stock in the interval between now and the winding up. In anticipation of the winding up of Livingston new town, the development corporation formed its housing department into a non-profit making company. That was achieved in autumn 1989 and it was registered as a non-profit-making company in that year, so that the housing department, as a new legal entity, could take on a legally binding contract for management of the Livingston housing stock, with the clear intention that, when winding up arrived, that company would be available as one of the competing offers to provide for the ownership of the housing stock as a new landlord for tenants of the new town.

I have never made any bones about the fact that if the district council were not an option for tenants, probably the best solution would be if the present housing department were to continue as a company, with its own standing, but maintaining the public service standards at present available. I say this to their credit that those people who took the initiative to register that company, to reconstitute the housing department in Livingston, have always made it clear that they would welcome the district council as one of the options to tenants in the new town, and that they were willing to take their chance on tenants choosing them rather than the district council, provided that that choice was available.

It will be clear from what I have said that we are not discussing a new proposal this afternoon. The proposal that the housing department should become a legal company, and that it should then enter a legally binding contract with the development corporation, has been around for a year and a half. During that time, considerable management work has gone into preparing the way for such a contract. Significant expense has been incurred in the process. Great effort has been made to inform and to involve the staff of the enterprise, and I understand that the staff of the housing department have been unanimous in backing the initiative, and that real steps have been taken to communicate the proposals for the development to tenants. I do not suggest that tenants have necessarily been in overwhelming support of the proposal or that they have been unanimous in their agreement to it, but every tenant has received a letter explaining the proposal. It is inconceivable that the Scottish Office did not know what was being proposed during that year and a half of activity. Indeed, it is inconceivable that the Industry Department for Scotland did not approve of the proposal.

The rules were changed suddenly last month. We have been told that it will be possible for the development corporation to place a contract for the management of the housing stock with the housing department or anyone else only if the contract is put out to open tender and if any private landlord or developer can bid. That might involve Quality Street, Mackay's flat agency or Wallace Mercer and David Murray forming a company.

It has been suggested that a reason for that insistence is the unfortunate publicity about the formation of the Waverley Trust which has embarrassed the Scottish Office. If that is so, that is a rather perverse response, because the Waverley Trust can, if it so chooses, put in a bid for the contract to manage the housing stock of the new town.

There is a grotesque conflict between the requirement that I have described and repeated promises by Ministers of tenants' choice. Ministers are insisting that on wind up, the tenants should choose their landlord. They will not be allowed to choose the district council, but they may choose any other landlord. However, in the proposal to transfer the management of everything in the housing stock except its ownership, Ministers insist that it should be settled by competitive tender. That cannot be squared with tenants' choice, because it could result in the management contract going to a developer or landlord who is flatly the reverse of what the tenants want.

To the housing department's credit, it has said that in those circumstances it does not propose to go ahead and develop negotiations for a contract for the management of the housing stock. It believes that it would not be fair to the tenants to proceed if the only basis on which it is allowed to proceed is to open the doors to bids from private developers who might be wholly unacceptable to the tenants.

I attended a meeting with the Minister when those points were discussed with the councillors from the five new towns. In his response to those discussions, the Minister said that he believed that in the circumstances the housing department should press ahead with its bid for the contract and beat off the competition. I can state candidly that if that course were followed the housing department would win the contract. However, if the Minister is certain of the outcome, why have the farce of open and competitive tender? If we cannot be certain of that outcome, how can we ask the housing department and Livingston development corporation to run the risk that the process might open the door to any outside developer?

Perversely, the credibility of the housing department with the tenants of the new town has never been higher, because the department has been seen to put the interests of the tenants before its own wish to secure a contract for the management of the housing stock. That credibility will be at risk if the housing department and the development corporation insist on taking a step that will open the door to all comers.

The Government's recent intervention and the imposition of competitive tendering as the basis for such a contract have stopped all progress. That must be perverse from the Minister's point of view. As I understand the preference of Ministers, they want to promote plurality of landlords in the housing stock. They want alternatives to local authorities, but on this occasion they are effectively stopping a new player entering the housing scene and widening the alternatives available to the tenants.

The new towns also have a real practical problem. How do they retain staff in the new circumstances? That problem extends beyond the housing department. Agency contracts have been discussed in four other sections of the Livingston development corporation. In the architects department, direct labour and legal services, there is a proposal either to form a new firm or to merge the present staff with an existing professional firm on the strength of agency contracts with the new town. All those measures are also now blocked by the parallel requirement that they must go to competitive tender. That will not only inconvenience staff but potentially inconvenience the people who live in the new towns if the new towns are unable to retain the staff who have made those new towns such a success.

I demonstrate the problem by reference to the housing department. It will come as a surprise to you, Madam Deputy Speaker, to hear that every member of staff of the Livingston housing department is younger than I. That is not such a stiff test as it used to be, but it is a clear sign that we are dealing with staff who cannot be content to wait for wind-up and the prospect of taking early retirement. They all wish their careers to continue beyond wind-up. With the collapse of the possibility of a management agency giving them security of employment beyond wind-up, there must be a real risk that those people will now necessarily look for careers outside the new towns.

In strict managerial terms, the Government's change of heart has been incompetent. The residents will be most affected if services cannot be maintained. Several questions arise from that change of policy. I fully appreciate that the Minister may not be able to answer than in this forum immediately, but I should be content if some were answered by letter.

First, when did the Industry Department know of the proposals for a management agency? Secondly, why did it take so long to make it clear to the new towns that the process would have to go through competitive tender? Thirdly, is the same requirement of open competitive tender being made to Scottish Homes in the many cases in which Scottish Homes is now involved in coming to a management agreement with its staff? How could one possibly justify having two different standards of test applied to the new town housing departments as opposed to Scottish Homes? Fourthly, if competitive tendering is to be required, how can we reconcile that with tenants' choice and how do Ministers propose that tenants will be consulted?

Fifthly, if competitive tendering takes place—it will be obvious from my observations that I doubt whether that is an appropriate way in which to proceed—will the local district council be entitled to put in a bid as part of that process? Sixthly, when the Government arrive at wind-up, may we have an assurance that they will not insist on competitive tendering when they dispose of all the housing stock? I hope that the Minister agrees that that would be intolerable and unacceptable, but what possible logic is there in insisting on competitive tendering for the management of the stock which will not be subject to competitive tendering when its ownership becomes available?

It is evident to me and, I hope, to the House that Ministers have made a mistake that has caused immediate and serious problems for the new towns and for tenants. I am a reasonable man who is seeking to apply my mind to the matter as a constituency Member, not as a partisan politician. I therefore do not press the Minister to admit that there was a mistake. I should be perfectly happy if he chooses whatever form of words to conceal the fact that he made a mistake. However, I ask him to find a way quietly to reverse that mistake. I hope that the debate will assist in prompting the Minister to think again about a policy on which his predecessor should have consulted before making it. I hope also that the Minister will listen to the arguments for reversing it.

2.58 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): I congratulate the hon. Member for Livingston (Mr. Cook) on providing this opportunity to consider Scottish new towns housing. He obtained the debate by acting speedily when one of his colleagues withdrew the original topic on the Order Paper. I shall carefully consider all the points that the hon. Gentleman has made. I shall reply in general terms, but I assure him that some of the detailed questions that I may not be able to cover in the time available will be answered by letter. The recent record of housing in the five Scottish new towns is one of outstanding success and it deserves recognition by the hon. Gentleman and his colleagues. The general prosperity arising from the success of the new towns corporations has provided some of the healthiest local housing markets in Scotland in recent years. The demand for housing to buy has attracted private house builders in strength and, without exception, all the towns can boast major housing developments which only a few years ago would have been impossible or difficult to anticipate. That is true of all the new towns. Home owners are now in the majority in all the five Scottish new towns

[Mr. Allan Stewart]

—in some, such as Cumbernauld, home ownership is running at over 60 per cent.—so home ownership has a convincing majority.

The second major contributory factor leading to increased home ownership has been the sale of corporation housing to tenants. That is another outstanding success story. One in every two new town development corporation houses will have been sold to its sitting tenant by the end of this financial year. The five corporations now own fewer than 35,000 houses.

The purpose of the hon. Gentleman's debate is to look ahead. Tenants will continue to have the choice of home ownership through right-to-buy and through the voluntary sales schemes, including our rents-to-mortgage scheme, which brings home ownership within the reach of yet another group of potential purchasers, as well as the private sector itself.

It is in the context of a varied and constantly evolving housing market in each of the five towns, each with distinctive characteristics, that we must consider the future arrangements for housing. As the hon. Gentleman told the House, the Government set out their policy in some detail in the 1989 White Paper. Prior to the publication of that White Paper, the consultation documents that preceded it raised the option of transfers to other landlords instead of to the district councils following wind-up. That White Paper stated that building programmes would be continued and that we would aim to accelerate completions of corporation housing developments. As the hon. Gentleman knows, the corporations have devoted substantial resources to housing capital programmes, both to modernise old stock and to undertake new building.

On the issue of housing for rent, on which the hon. Gentleman focused, as he properly stated, the White Paper made it clear that the corporations would be expected to continue to promote diversification of rented tenure in the towns. They may do that by seeking to attract other landlords to develop in the town, but the main opportunities revolve around the corporations' own housing stock. The White Paper gave an undertaking that no tenant would have to change landlord in the period before wind-up, but there has been good scope for initiatives to be taken within that undertaking. Corporations have been exploring the scope for diversification. There have been local initiatives involving the transfer of stock to housing associations and the creation of a housing co-operative in the hon. Gentleman's new town of Livingston. It is within that general framework of diversification that we intend to consider the future of each corporation's stock as wind-up progresses. On the issue of what happens at wind-up, the White Paper gave an undertaking to consult the interested parties once that process is well under way.

The hon. Gentleman referred to a number of surveys. He will not dispute that the independent survey of tenants before the publication of the White Paper confirmed that a clear majority of tenants agreed that the right time to take those decisions is much nearer the wind-up date than we are at present. We are not expecting the wind-up in the hon. Gentleman's constituency to start until 1995. In the meantime, the Government, with the assistance of the corporation and of Scottish Homes—the hon. Gentleman will appreciate that the difference between the Scottish and English circumstances is that there is no comparable organisation to Scottish Homes south of the border—will try to ensure that a realistic range of options is available when the time comes to take those decisions.

The hon. Gentleman has referred to the widespread view among tenants that they would like to have their district council as one of their options. He suggested, and I should not disagree, that that is often how the view is expressed, but in practice tenants are saying that they want the transfer of their house to be to the district council. It would not be in line with the diversification if substantial portions of a corporation's housing stock went to enhance the existing stock of any other major landlord, whether public or private. We remain committed to expanding the contribution of housing associations in the new towns and to using the private sector to bring back into use those limited parts of the housing stock where improvements are needed. That has a lesser role in the new towns than in the older cities.

Equally, the Government have said that we shall first examine the scope for other initiatives. As the White Paper said, the residual stock of each corporation will be transferred to Scottish Homes with a view to pursuing further diversification. However, I should stress that the Government have said that we shall first examine the scope for other initiatives, including whether there should be any transfer to district councils—a point on which the hon. Gentleman has focused.

At the moment, we do not know—none of us can—just how many houses each corporation will have left when the closing stages of wind-up are reached. We also cannot know the location of their houses or their type, the needs and circumstances of their tenants or whether they are best served by a local authority or some other landlord. These decisions need to be taken much nearer the time. However, I hope that I can reassure the hon. Gentleman and his constituents on two points. First, the criteria that we would consider applying in the search for alternative landlords would include the ability of those landlords to preserve the high standards that tenants have come to expect from development corporations. I give tenants that clear assurance.

Secondly, the hon. Gentleman referred to the meeting that we attended. I have invited the district councils for the new town areas, through their representative organisation, Scottish Local Authorities with New Towns, or SLANT, to elaborate on the argument that they put forward at a recent meeting, that the Government's objective of diversification could be achieved while still allowing the district council to be a choice for which tenants might opt. I am grateful to SLANT for responding positively to the suggestion that it expands on that in any paper that it is preparing.

The hon. Gentleman also referred to the proposal from Livingston development corporation to establish a housing management agency from its own staff and to award it the contract for managing the corporation's tenancy stock. Let me make it clear that my right hon. Friend the Secretary of State and I welcome this initiative as one which appears to be entirely satisfactory for the tenants. However, there is a need to show that this is the best arrangement for tenants, and more generally. I hope that there will be a way to get through

the problems to which the hon. Gentleman referred. I give him the assurance that I will be happy to consider further with the corporation precisely how we might achieve that.

Question put and agreed to.

Adjourned accordingly at nine minutes past Three o'clock.

House of Commons

Monday 25 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENERGY

Electricity Privatisation

1. **Mr. Viggers:** To ask the Secretary of State for Energy if he will make a statement on progress on the privatisation of the electricity industry.

The Secretary of State for Energy (Mr. John Wakeham): Following the successful flotation of the 12 regional electricity companies with a total value to the taxpayer of around £8 billion, we are now proceeding with the sale of the two generating companies. I announced on Friday that the total value to the taxpayer of National Power and PowerGen would be more that £4·3 billion. This share offer has now been successfully underwritten. The offer will close on 6 March and dealings will commence on 12 March. The total value of the businesses comprising the electricity supply industry of England and Wales of more than £12 billion makes it by far the largest privatisation ever undertaken in the United Kingdom.

Mr. Viggers: I congratulate my right hon. Friend on the great skill with which he has undertaken these privatisations. In connection with the regional electricity companies, is not the most pleasing feature the fact that 98 per cent. of eligible employees have taken up shares and become shareholders? I also congratulate my right hon. Friend on the skilful and sophisticated arrangements that he has put in hand for the underwriting of the generating companies for privatisation. There have already been signs of innovative thinking by the electricity industry and, in the long run, will not the beneficiary be the consumer?

Mr. Wakeham: I agree with my hon. Friend that one of the main purposes of privatising these industries is to bring new thinking into the way they operate. I also agree that one of the pleasing things has been the way in which the employees have taken shares in the company, and many of them are continuing to hold those shares. That is satisfactory.

Mr. Haynes: I want to know what is going on. I think that the Secretary of State had better have a look at this privatisation of the electricity industry. What about the prices that these people are charging? I thought that the aim of privatisation was to look after the consumer, but consumers in my area are getting a right belting on prices. Is it not high time the Minister had a look at this, or he will not be coming to the Dispatch Box any longer?

Mr. Wakeham: The hon. Gentleman and I obviously read the same newspapers, but the companies have not yet made their proposals for price increases. When they have, they will have to justify them to the regulator, who I know will be looking at them closely.

Mr. Rost: Will my hon. Friend confirm that, as a result of privatisation, the vast overwhelming number of commercial and industrial customers are already getting lower electricity prices than they were a year ago, before privatisation, thanks to competition and the ability to shop around?

Mr. Wakeham: My hon. Friend is right. The vast majority are paying lower prices as a direct result of the competitive nature of the regime for commercial and industrial customers.

Mr. Dobson: The Secretary of State talked about bringing new thinking into the industry. Can he confirm that the new thinking started off with his approving a 9·2 per cent. price increase for domestic consumers last year, when the projected rate of inflation, however inaccurate, was 6 per cent. and that the companies are now contemplating increases up to 13 per cent. when the projected rate of inflation is only 5 per cent? That is the kind of new thinking that customers could well do without.

Mr. Wakeham: The hon. Gentleman is wrong. We have not yet had any proposals from the companies. As I have said, they will be making their proposals to the regulator, who will have to be satisfied that the increases are justified under the price regime that is included in the licence.

Renewable Energy

2. **Mr. Ian Bruce:** To ask the Secretary of State for Energy what was the annual average level of expenditure on research and development into renewable sources of energy between 1974 and 1979 and between 1985 and 1989.

The Parliamentary Under-Secretary of State for Energy (Mr. Colin Moynihan): The annual average expenditure by the Department of Energy on research and development into renewable sources of energy between 1 April 1975 and 31 March 1979 was £1·9 million, and between 1 April 1985 and 31 March 1989 the figure was £14·4 million.

Mr. Bruce: I thank my hon. Friend for that answer, which illustrates the commitment of this Government to renewable energies compared with that of the Labour Government. Is not the biggest problem with renewable energy sources the high cost of producing electricity from such sources? Would not it be difficult to get past the House provisions that made little old ladies pay twice or perhaps even more times as much as they would for electricity generated by coal or nuclear energy?

Mr. Moynihan: I thank my hon. Friend for his observation. It is as important for these projects to be environmentally acceptable as for them to be economically competitive. With the introduction of the non-fossil fuel obligation we have been able to create a marketplace so that commercially competitive renewable energy projects can come onstream effectively.

Ms. Armstrong: I hope that the Minister is looking at new projects for possible development and that at some

stage he will look at one in my constituency, where, as part of an attempt to regenerate Consett, we are considering a wind park on part of the old steel works site. I am not sure that it would exactly replace what was there, but I hope that the Minister will consider these projects carefully, because there are people in my area who still do not have electricity and we hope that these projects will supply electricity to more far flung places.

Mr. Moynihan: The hon. Lady makes a valid point. It is important to identify new wind projects. She will be pleased to learn that the largest tranche of research and development expenditure is on wind energy. I am not aware of the specific project to which she referred, but I know that my officials will be only too happy to look in detail at any proposals. We want to give commercially viable wind energy projects as big a push as we can.

Mr. Simon Coombs: Does my hon. Friend agree that there is no virtue simply in increasing expenditure on research and development on renewable sources of energy for its own sake? Does he further agree that what is needed is the careful examination of each project to see what its potential long-term yield is for the future?

Mr. Moynihan: I hope that my hon. Friend heard my earlier comments and is satisfied that we are aware of the importance of ensuring that proposed projects are commercially viable. Many are not. The great advantage of having the non-fossil fuel obligation is that we not only back the research and development with increasing resources, but provide a marketplace for those projects to play an important role in the diversity of energy supply on competitive terms.

Mr. Simon Hughes: Is not the reality that for the Government renewables are still the poor relation? Less than £25 million per year is spent on research and development into renewables while more than £95 million is spent on research and development in the nuclear industry. The other day the Government closed down the Camborne geothermal facility with a loss of 30 jobs. The evidence is that the cost of producing geothermal electricity is 3·1 per kWh, the cost of producing electricity is about 3·5p per kWh and the cost of producing nuclear power is more than 6p per kWh. On all assessments, nuclear power is a bad bargain and renewables are good, but the Government are blind to any sensible opposition.

Mr. Moynihan: I am sorry to inform the House that the hon. Gentleman has got his facts wrong. The hot dry rocks project in Cornwall was not closed down last week. That important project was given a new direction and a boost of £3·3 million for the period 1991 to 1994 so that we can work on it with our European colleagues and make it as economically viable as possible. I spent a day visiting that project. The cost per kilowatt hour to which the hon. Gentleman referred bears no reality to the sort of cost produced from the research on geothermal hot dry rocks, which can be up to 10 times higher than the figures that the hon. Gentleman quoted. That said, however, it is an important source of potential renewable energy within the European Community and further research is being undertaken to try to make sure that we can make it commercially viable. If we cannot, we cannot put further research and development into that energy source. In answer to the hon. Gentleman's first point, any Government who spend £160 million on renewable research and development are committed to renewable energy projects and any Government who increase next year's provision by 20 per cent. more than that for this year are committed to undertaking research and development for commercially effective renewable energy projects.

Energy Conservation

3. **Mr. Knox:** To ask the Secretary of State for Energy what recent representations he has received about the adequacy of existing energy conservation schemes.

The Parliamentary Under-Secretary of State for Energy (Mr. David Heathcoat-Amory): My right hon. Friend and I have received frequent representations about our energy efficiency programmes to which we accord high priority.

Mr. Knox: What is my hon. Friend's estimate of the potential for further energy savings? Is he satisfied that the existing schemes will enable us to achieve those savings?

Mr. Heathcoat-Amory: It has been estimated that further savings of up to 20 per cent. are possible. I am convinced that we shall be able to approach that target through a mixture of regulations, such as the improved building regulations, labelling, advice, and targeted grants such as the home energy efficiency scheme, which directs grant aid to low-income households.

Mr. Loyden: What encouragement has been given to local government to draught-proof the windows and doors of older houses so that many millions of homes can benefit from the conservation of energy?

Mr. Heathcoat-Amory: I can confirm that the estate action programme is directing substantial sums of money towards upgrading older council estates. In addition to that, the home energy efficiency scheme is targeted precisely at older dwellings, which are often occupied by low-income households who need grant aid to improve the energy efficiency, draught-proofing and insulation standards of their homes.

Coal Mines

4. **Mr. Mullin:** To ask the Secretary of State for Energy how many pits he expects will still be operating by 1993.

Mr. Heathcoat-Amory: Decisions on future capacity are a matter for the British Coal Corporation, but it is clear that the future of every pit depends crucially on the degree to which management and men are successful in containing costs and continuing their productivity improvements.

Mr. Mullin: The Minister will be aware that, since the privatisation of electricity, the country has been flooded with cheap coal, which no amount of productivity improvements are capable of competing against. In the unhappy event of the Minister's party winning another general election, not one pit in the north-east will survive. I invite the Minister to deny that.

Mr. Heathcoat-Amory: The future capacity of the north-east coalfield is a matter for the British Coal Corporation. It would not be right artificially to restrict imports of coal and to insulate British industry from overseas competition. The future of that coalfield depends on continuing the productivity improvements of recent

years, and I pay tribute to the British Coal Corporation and to those who work for it for the 85 per cent. productivity improvement since the coal strike.

Mr. Hannam: The Government have invested some £7 billion in British Coal since 1979. That is surely proof that the Government see a good future for a competitive coal industry. Does my hon. Friend agree that the 85 per cent. productivity increase since the miners' strike is evidence that the coal industry has an important role to play in the future energy market?

Mr. Heathcoat-Amory: I entirely agree. The Government have put more than £17 billion of grant aid into the coal industry since 1979. That is proof of our financial commitment to the industry. The future prosperity and success of that industry, however, depend on continuing those productivity improvements.

Mr. Hardy: Will the Minister offer the House some estimate of the effect on the balance of payments deficit, which is already enormous, of our increasing reliance on imported coal, which will become more and more expensive, to the ruinous deprivation of the country?

Mr. Heathcoat-Amory: It would not be to the advantage of the balance of payments or of British industry artificially to restrict imported energy sources. I confirm, however, that until 1993 British Coal has secure contracts with the electricity generators and I anticipate that after 1993 electricity generators will recognise the value of an indigenous source of supply.

Mr. Dickens: Is not it a fact that the future of the British coal industry lies in the hands of the mineworkers themselves? Is not it marvellous that once the power of stupid trade union leaders such as Arthur Scargill is diluted the men at the coal face respond and have increased their productivity by 87 per cent. since the coal strike?

Mr. Heathcoat-Amory: I cannot improve on my hon. Friend's description of the situation.

Mr. Barron: The Minister knows full well that the framework of privatisation of the electricity supply industry has thrown British Coal's marketing into chaos. Does he honestly think that the £17 billion investment of which he boasts is a sound investment, given the ending of current contracts in 1993? When will the Government take action not just in the interests of the miners, who have improved their productivity, but in the national interest, instead of increasing the growing energy deficit of this energy-rich country?

Mr. Heathcoat-Amory: It is up to the industry to prove the soundness of that investment, but the signs are that management and workers are rising to the challenge and can mine coal competitively.

Offshore Oil and Gas

5. **Mr. John Marshall:** To ask the Secretary of State for Energy what was the level of direct employment in the offshore oil and gas industry in 1990; and what is his estimate of the number of jobs indirectly supported by the industry.

Mr. Moynihan: Direct employment offshore in 1990 was at an all-time record level of 36,500, some 19 per cent. higher than in 1989. The number of those employed indirectly in the oil and gas industry is considerably larger than those working offshore.

Mr. Marshall: As a former Aberdeen councillor, I welcome that answer as good news for Aberdeen, for the north-east of Scotland and for the country. Does my hon. Friend agree that it shows the efficiency of private enterprise in creating jobs?

Mr. Moynihan: I entirely agree with my hon. Friend.

Dr. Godman: The expansion is indeed good news for Scotland—if not for my constituency, where unemployment at 13·8 per cent. is no laughing matter. I remind the Minister that Scott Lithgow on the lower Clyde is the finest shipbuilding and oil rig construction yard in the United Kingdom. Has he any hope to offer to my oil rig workers and dockers, or anything to say about Scott Lithgow?

Mr. Moynihan: There is no doubt that the position for many offshore fabricators is very strong. Their order books are strong. They have opportunities now because levels of investment and activity in the North sea have never been more buoyant. I hope that they will use those opportunities to the full by producing, on time, good-quality products to meet foreign competition.

Nuclear Power

6. **Mr. Butler:** To ask the Secretary of State for Energy what proportion of the production of electricity in the United Kingdom is currently supplied by nuclear power.

Mr. Wakeham: In 1990 about 20 per cent. of electricity available in the United Kingdom came from United Kingdom nuclear sources.

Mr. Butler: Will my right hon. Friend confirm that for the foreseeable future nuclear power has an assured role in generating safe, clean and reliable energy?

Mr. Wakeham: Yes, I can confirm that. Nuclear generation is vital to ensure security and diversity of supply and brings with it excellent environmental benefits in that it produces no carbon dioxide, sulphur dioxide or nitrogen doxide.

Dr. Reid: Will the Minister confirm that the largest single industrial user of electricity provided by any source in Scotland is the Ravescraig steel plant? Is he aware of the announcement of a further 1,500 redundancies there? Can he give an assurance that, under a privatised electricity set-up, the costs of the decline of Ravescraig and the demise of the steel industry will not be passed on to the individual electricity consumer in Scotland or in the United Kingdom?

Mr. Wakeham: Questions to do with the steel industry or the Scottish industry are clearly not for me, but under the system that we have introduced industrial consumers generally pay lower prices as a result of the competitive nature of the electricity industry.

Sir Trevor Skeet: Will the Secretary of State bear it in mind that unless more nuclear power stations are built and the review is accelerated, there will be very few new nuclear

power stations by the turn of the century? Will not that lead to the disintegration of an industry which it is most important to preserve?

Mr. Wakeham: I know that my hon. Friend knows a great deal about the nuclear industry. As he is aware, a full-scale review of the prospects for nuclear power in the future will be undertaken in 1994, when the Sizewell B project will be nearing completion. That review will have to take all the relevant factors into account.

Mr. Morgan: Will the Secretary of State confirm that —given the progessive unravelling of the beautiful Heath Robinson structure erected by his predecessor, the right hon Member for Hertsmere (Mr. Parkinson), the withdrawal from privatisation of the nuclear industry and the fact that 40 per cent. of generators are now not being sold on the market—by the time of the next election less than 50 per cent. of the electricity-generating industry in England and Wales will be in private hands? If that is what the right hon. Gentleman and his honourable lemmings on the Back Benches think that they voted for in 1988, and if that is what they call a success, we should welcome many more such successes.

Mr. Wakeham: The hon. Gentleman's facts are wrong. Very shortly, the generating industry—National Power and PowerGen, that is—will be in the private sector; indeed, they are at this moment. Nuclear Electric will remain in the public sector for the foreseeable future. I think that the hon. Gentleman is confusing the facts with some view of creative accountancy. The 40 per cent. stake that the Government retain in the privatised companies will be retained for another two years; I have explained what will happen after that.

Offshore Oil and Gas

7. **Mr. Tim Smith:** To ask the Secretary of State for Energy what is his estimate of the level of investment on the United Kingdom continental shelf in 1990.

Mr. Moynihan: My estimate of investment in 1990 on the United Kingdom continental shelf is £3·5 billion. That represents a significant increase of around one third on 1989.

Mr. Smith: Is not that a remarkable achievement by Shell, Esso, British Petroleum and the other oil companies that invest in the North sea? Given the substantial fall in the real price of oil in the past decade, is not it also a tribute to the improved technology there, as well as to the fiscal and regulatory regime governing the area? Will my hon. Friend continue to press Treasury Ministers to ensure that our tax regime encourages marginal investment?

Mr. Moynihan: The answer to my hon. Friend's first two questions is yes; as for the third, the Government are fully aware that a stable fiscal regime and regulatory framework have been part and parcel of the success of investment in the North sea over the past decade.

Mr. Skinner: The Minister just said, in a kind of coded language, that the Government would allow the tax regime to be shifted in relation to the smaller underground pools of oil. When miners run into narrow seams of coal, however, the Department decides that they are unprofitable—in its language—and closes them. If it is right to use every possible effort to maximise oil production, the same should apply to getting out the coal, and pits such as Creswell in my constituency should not be shut.

Mr. Moynihan: The hon. Gentleman has obviously misunderstood the code.

Mr. Bill Walker: The Opposition constantly seek to ignore the effects of our indigenous energy, and our investment in oil and gas, on the performance of the United Kingdom economy, while constantly drawing attention to the technology and out-of-date practices in the coal industry. Does not that clearly show that they are people of the past, not of the present—and certainly not of the future?

Mr. Moynihan: I entirely agree. I am glad that my hon. Friend has recognised the continuing outstanding success of our buoyant oil and gas market.

Mr. Doran: The Minister will know that a substantial part of the investment that he rightly praised relates to safety improvements. Is he aware that, according to the trade figures announced this morning, our present deficit includes an oil deficit of £109 million compared with the surpluses that we have enjoyed over most of the past decade? Does he agree that the main reason for that deficit is the need to close down platforms for safety modifications? Had the Government taken their job of ensuring safety more seriously, and had they accepted the Opposition's criticisms, the shutdowns would have been unnecessary, the improvements phased and the present large deficits avoided.

Mr. Moynihan: I disagree with the hon. Gentleman's conclusion. I agree, however, that the reason for our lower net exports is a temporary reduction in North sea oil production. The first priority must always be the safety of the work force in the North sea. If that means reducing output at any time, so be it.

Gas Disconnections

8. **Mrs. Roe:** To ask the Secretary of State for Energy what discussions he has had with the Director General of Ofgas about disconnection for debt.

Mr. Moynihan: I have had no specific discussions with the Director General of Gas Supply on the subject of disconnection for debt. I can confirm that the number of British Gas customers who have been disconnected because of debt is lower than at any time since 1977, when records were first kept.

Mrs. Roe: I am grateful for my hon. Friend's reply, especially as 3 million new customers have been connected. Does he agree that protection for debtors has increased since privatisation, not decreased?

Mr. Moynihan: That is absolutely true. From a peak of almost 62,000 in the year ended March 1988, just over 19,000 people have been disconnected for debt.

Mr. Allen McKay: Is not it also a fact that the drop in disconnections has coincided with an increase in the installation of credit meters, which have an automatic cut-off on what people can pay? As the Government are trying to encourage wage settlements below the rate of inflation, will the Minister tell the electric industry not to increase its prices by more than the rate of inflation?

Mr. Moynihan: On the substantive question, I acknowledge that the offer of a prepayment meter as an alternative to disconnection has played an important role, but the reality is that privatisation and the excellent work of the Office of Gas Supply have been paramount in assisting the gas industry to reduce the number of people who are disconnected for debt.

Unleaded Petrol

9. **Mr. Carrington:** To ask the Secretary of State for Energy what has been the increase since 1989 in the number of petrol-retailing outlets selling unleaded petrol; and what is the level in other EC countries.

Mr. Moynihan: The United Kingdom Petroleum Industry Association estimates that, at the end of November 1990, 98 per cent. of filling stations in the United Kingdom sold premium unleaded petrol, compared with about 80 per cent. at the end of 1989 and 20 per cent. at the end of 1988.

The latest available comparable figures for 1990 in the European Community were: West Germany, Belgium and Luxembourg 100 per cent.; Denmark and Netherlands 85 per cent.; Italy 64 per cent.; Ireland 50 per cent.; France 40 per cent.; Spain 19 per cent.; Greece 11 per cent.; and Portugal 4 per cent.

Mr. Carrington: Do not those figures, taken in conjunction with those for the sale of unleaded petrol, show the determination of the Government, the industry and the people to reduce the amount of lead in our air? Is it not it possible, perhaps through the European Commission, to encourage our European partners, who are not as environmentally friendly as we are, to improve their actions and environment?

Mr. Moynihan: I agree that it is important for the Government to continue to pursue that objective throughout the Community.

Mr. Tony Banks: It is welcome that so many petrol stations are making unleaded petrol available, but the Minister understands that the real test is the number of cars using it. What discussions are being held within the Department or with Treasury Ministers and officials to encourage the take-up of unleaded petrol by giving further tax incentives or cuts in petrol prices?

Mr. Moynihan: The latter point is for my right hon. Friend the Chancellor of the Exchequer. The 1990 Budget, which increased the duty differential to nearly 14p a gallon, was important. About seven out of 10 cars are capable of using unleaded petrol. The Department of Energy and other Departments have been promoting a publicity and information campaign to encourage those who can convert rapidly to do so.

Clean Coal Technology

10. **Mr. Hayes:** To ask the Secretary of State for Energy what support his Department is giving to the investigation of the prospects for clean coal technology.

Mr. Wakeham: My Department is currently reviewing coal-related research and development and this summer will publish a document setting out our strategy. Much important work on clean coal technology has already been carried out by British Coal and others.

Mr. Hayes: Does my right hon. Friend agree that environmentalists should be greatly encouraged by the Government's clear commitment to clean coal technology? *[Laughter.]* Hon. Members may laugh, but my right hon. Friend may like to remind them that the Government are contributing £17 million to 15 separate projects.

Mr. Wakeham: I confirm what my hon. Friend said. The current programme of more than 15 projects which are under way or planned has a contract value of more than £80 million and my Department's contribution is more than £17 million. I am not satisfied that we are doing enough. That is why we have set in hand a study to find out what more can be done.

Mr. Eadie: It is refreshing for the House to hear candour from the right hon. Gentleman about the investment in clean coal technology. Is he aware that the investment, which is running at about 3 per cent., is pathetic? In the quest for clean coal, I hope that the right hon. Gentleman will consider Monktonhall colliery which, although it produces more or less sulphur-free coal and has received £14 million of investment, has been mothballed. Will the right hon. Gentleman consider reopening that colliery? It would result in jobs as well as sulphur-free coal.

Mr. Wakeham: I am grateful to the hon. Gentleman for his support of what we are doing about clean coal technology, but Monktonhall colliery is a matter for British Coal's management, not for me.

Dr. Michael Clark: Does my right hon. Friend agree that clean coal burn technology is important for not only the future of the British coal industry but the environment? Does he agree that it is important also in ensuring that we achieve the maximum use of our indigenous industry? Does he recognise that, although we may be in the lead in terms of research and development and investigations into these techniques, we are somewhat behind in building demonstration plants? Will he undertake to find ways to encourage the building of demonstration plants? That work can be done in various ways. It does not always involve Government money.

Mr. Wakeham: Yes, indeed. Recently we announced the provision of an additional £3·7 million towards British Coal's topping cycle project at Grimethorpe. That brings the Government's support for the project this year to £9·2 million and clearly demonstrates our commitment to supporting clean coal technology. We have set up a coal task force, a new advisory body to develop new strategies and project selection methods, and United Kingdom industry is strongly represented on that task force. That shows confidence in the way forward.

Mr. Dobson: Does the Secretary of State agree that the failure to back the demonstration plants which the hon. Member for Rochford (Dr. Clark) endorsed is putting British plant manufacturers at a disadvantage compared with their competitors in Germany, Sweden, Switzerland and France? Would not it be better to put some money into that work? Will the right hon. Gentleman confirm that more money was spent tarting up his Department's headquarters than the Government are investing in clean coal technology?

Mr. Wakeham: I have no idea about that last point. I had no responsibility for those matters. I would support

any project that was worth while and could be shown to have a commercial future. The first projects that we demonstrate must have the possibility of being economically viable in the long term.

Mr. Hind: Does my right hon. Friend agree that coal will not have a future as an electricity-generating fuel unless the technologies of decarbonisation are improved to a level at which CO_2 emissions are much lower? My right hon. Friend's efforts in that regard are greatly appreciated by people who work in the coal industry, as those developments will give them a future.

Mr. Wakeham: Absolutely. My hon. Friend knows that most of the new power generation projects in the next few years are likely to be gas-fired projects. It is important that research and development should occur so that coal is increasingly thought of as a fuel to be used and is seen to be environmentally safe.

Energy Efficiency

12. **Mr. Alan W. Williams:** To ask the Secretary of State for Energy what is the total spent by his Department in the current financial year on promoting energy efficiency.

Mr. Wakeham: Forecast outturn expenditure by the Energy Efficiency Office in 1990-91 is £23·4 million. That represents a substantial increase on expenditure last year of £15 million.

Mr. Williams: Will the Minister examine the serious decline in the energy efficiency industry? Figures published recently by the Association for the Conservation of Energy show a 20 per cent. fall in the demand for heating control since 1987, a 34 per cent. fall in the demand for double glazing and a 49 per cent. fall in demand for cavity wall insulation. How can the Government claim to be taking energy efficiency seriously when the industry is in such a serious decline?

Mr. Wakeham: The hon. Gentleman quotes some figures which I do not deny, although I have not checked their accuracy. However, those figures relate to the construction industry and are not out of line with the general cuts in that industry. We have increased our expenditure on energy efficiency. We are anxious to improve energy efficiency because we believe that that is far and away the most important way in which to deal with problems of global warming and CO_2. It is important for the hon. Gentleman to remember that the progress of that policy so far has been very encouraging. Over the past 10 years GDP has increased by 25 per cent. while energy consumption is almost unchanged.

ATTORNEY-GENERAL

City Fraud

26. **Mr. Skinner:** To ask the Attorney-General when he last met the director of the Serious Fraud Office to discuss developments in the prosecution of City fraud; and if he will make a statement.

The Attorney-General (Sir Patrick Mayhew): I met the director of the Serious Fraud Office on 13 February to discuss matters of departmental interest.

Mr. Skinner: When the Attorney-General discussed those matters with the director of the Serious Fraud Office, did he refer to the Harrods swindle and the fact that Graham Jones, the former financial adviser to that company, wrote two letters to the Governor of the Bank of England accusing Harrods of breaking banking regulations, but the Governor refused to reveal anything to a Committee of the House? Why are the Government afraid of taking on Harrods? Why does not the Attorney-General act? Are the Government frightened to death of the real owner of Harrods, the Sultan of Brunei, who bailed out the Government several years ago when the pound was down to near-parity with the dollar?

The Attorney-General: I am sure that the latter part of the question owes much more to ignorance than to malice. The question of Harrods did not feature in my recent discussion with the director. The hon. Gentleman will recall that the director of the Serious Fraud Office and the Director of Public Prosecutions made a joint statement in June or July last year stating that, following detailed examination by the Metropolitan police, the conclusion was that insufficient evidence was admissible for criminal proceedings to warrant a prosecution. Each director is always open to further evidence becoming available, but the Bank of England is its own enforcing authority.

Mr. Hind: Does my right hon. and learned Friend agree that the director of the Serious Fraud Office and his staff have prosecuted a large number of offences of serious white collar fraud and that they have not regarded the importance of the defendant as a criterion in taking that person to court? One example was Guinness. Is not that a clear sign that people who commit serious white collar crime will be treated in exactly the same way as a burglar or a shoplifter?

The Attorney-General: My hon. Friend is absolutely right and I am grateful to him. In the two years that the Serious Fraud Office has operated, it has prosecuted to conviction more than two thirds of the people whom it has charged. The Government have been responsible for not only the introduction of the Serious Fraud Office, but before that—in the days before the Crown prosecution service—the introduction and resourcing of the fraud investigation group in the DPP's headquarters. The Government have also legislated for the confiscation of proceeds of crime. Of course, the prosecuting authorities pay no regard to personalities. That is the answer to those who endlessly snipe from a basis of ignorance at the Government's response to the challenge of fraud.

Statutes

27. **Mr. Spearing:** To ask the Attorney-General what is the latest date to which statutes in force are up to date.

The Solicitor-General (Sir Nicholas Lyell): The publication of new Acts in statutes in force is up to date as at 11 February 1991, other than part of one 1990 Act. Information on the repeal of whole Acts is up to date as at 1 January 1991. Information on the amendment, or partial repeal, of existing Acts is brought up to date periodically.

Mr. Spearing: Even if they are brought up to date periodically, does the Solicitor-General agree that statutes in force, published by Her Majesty's Stationery Office, can never be up to date because statutes enforceable in the

United Kingdom include self-acting regulations of the European Economic Community? Does the Solicitor-General agree that, since agreement on the package for 1992 involving financial and commercial matters, the change in enforceable statutes is now even greater? Should not there be some warning in front of the volumes of statutes in force to put lawyers and others on their guard?

The Solicitor-General: Lawyers who advise on matters relating to the European Community are well aware of the hon. Gentleman's point. The longer-term methods for dealing with statutes in force must be computerisation and projects on that are coming forward for financial approval.

Law Society

28. **Mr. Viggers:** To ask the Attorney-General when he next expects to meet the president of the Law Society to discuss matters of concern to the legal profession.

The Attorney-General: No meeting is scheduled at present between myself and the president of the Law Society, with whom I enjoy a warm relationship.

Mr. Viggers: I thank my right hon. and learned Friend. He will know of the Law Society's interest in judicial appointments. It is concerned that solicitors should be more readily appointed to the Bench and that the areas from which appointments to the Bench are made should be more broadly based. I understand that meetings are planned shortly with the Lord Chancellor, but has my right hon. and learned Friend any comments to make on the position at present?

The Attorney-General: I am grateful to my hon. Friend. The Lord Chancellor will listen with great care to all suggestions made to him with a view to broadening the range from which judicial appointments are made. As for solicitors, although candidates are, naturally, considered on their merits, the Lord Chancellor is anxious to encourage more solicitors to put themselves forward for judicial appointment when they have reached the appropriate age and standing. He consults more widely than ever before on this matter and is evaluating the results of a pilot scheme designed to improve the methods by which solicitors are identified for potential judicial appointments.

Mr. Mullin: Does the Attorney-General detect any concern on the part of the Law Society about the inability of senior members of the judiciary to distinguish between innocence and guilt? Does he have any plans to take action on that? My question is motivated neither by ignorance nor by malice.

The Attorney-General: I do not answer for the Law Society. The hon. Gentleman will know that any judicial system is only as good as the quality of the evidence fed into the trials over which judges preside. The judges hold the ring and enforce the rules. Although every effort must be made—the hon. Gentleman knows that every effort is made—to rectify any miscarriage of justice that may later be found to have occurred, the people of this country acknowledge that our judiciary is of a high standard.

Mr. Bowis: Does my right hon. and learned Friend agree that the public's confidence in members of the Law Society would be greatly enhanced by the setting up of the legal ombudsman? Will he report on how that system is progressing?

The Attorney-General: This is the age of the ombudsman and I am sure that his arrival has been generally welcomed. However, it is too early for us to assess what progress he is making.

Mr. Fraser: When the Attorney-General meets the president of the Law Society, what will he be able to do to assuage what the Lord Chancellor called the perfectly genuine cries of hardship from legal aid practitioners? What will be the percentage increase for legal aid work that should take place after 1 April this year and what proposals does he have for easing the cash flow for legal aid practitioners who are suffering from high interest rates and the fall-off of work that used to be subsidised by the commercial and conveyancing sectors?

The Attorney-General: These are all important matters which the Legal Aid Board keeps under review.

The Gulf

29. **Mr. Dalyell:** To ask the Attorney-General, pursuant to his oral answer to the hon. Member for Linlithgow of 4 February, *Official Report*, columns 14-15, what representations he has received on the extent to which the principle of international law relating to minimisation of civilian casualties has been adhered to during carpet-bombing in the Gulf conflict, and whether these civilian losses are proportionate to the military advantage expected.

The Attorney-General: I have received two letters from the public about the minimisation of casualties. I should emphasise that allied forces have instructions to attack only military targets or facilities supporting Iraq's occupation of Kuwait.

Mr. Dalyell: Is the Attorney-General aware that on Saturday night I rang the ever-courteous clerk at Downing street to ask whether Her Majesty's Government had been consulted about the use of napalm in the Gulf? She in turn consulted Sir Charles Powell and the answer came back that it was far from clear. As a member of the War Cabinet, will the Attorney-General clarify whether the use of napalm, the horror weapon of the Vietnam war which gave us the image of the burning girl running in sheer horror, is legal in international law?

The Attorney-General: There is no convention or instrument of international law bearing on the use of napalm. However, its use, like that of all weapons, is governed by the principles that I described when I last answered the hon. Gentleman's question regarding the minimisation of casualties three weeks ago. To those on the receiving end of any of the modern weapons of war, each one probably qualifies as a horror weapon.

OVERSEAS DEVELOPMENT

Southern Africa

32. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the discussions the Minister for Overseas Development had during her recent visit to South Africa.

33. **Mr. Ian Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the visit by the Minister for Overseas Development to southern Africa.

34. **Mr. Irvine:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit by the Minister for Overseas Development to southern Africa.

36. **Mr. Peter Bottomley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Minister for Overseas Development had during her recent visit to South Africa.

The Minister for Overseas Development (Mrs. Lynda Chalker): My most recent visit included both Mozambique and the Republic of South Africa. I was able to discuss recent developments and future prospects with political leaders in both countries and to see some of the aid projects that we are assisting. During my visit, I announced a further 10,000 tonnes of food aid for Mozambique and a number of new commitments for teacher training, rural and community development projects and student awards for black South Africans.

Mr. Townsend: I congratulate my right hon. Friend on the apparent success of her visit. It was billed as an opportunity for her to have discussions on political reform in South Africa. Will she give the House the benefit of her conclusions?

Mrs. Chalker: I can genuinely tell the House that I was most impressed by the speed with which the moves towards political reform are taking place. The week that I was there saw the 12-hour meeting between the African National Congress and the Government—two days later, on 15 February, good progress was announced. It is clear that President de Klerk and his Government are determined to move ahead as quickly as possible to repeal not only the Group Areas Act, but the land acts and the population registration acts. While we were there, during the time of the meeting on 12 February, an order was made to obviate the need for any child to be registered by race. We should encourage good steady progress and the repeal of all apartheid acts by recognising what the South African Government are doing.

Mr. Ian Taylor: Does my right hon. Friend agree that the importance of continuing the exciting developments of political reform in South Africa should be highlighted by increasing the openness of the South African market to international trade? In addition, our aid programme should be geared particularly to assisting community development. It is much more important to develop that aspect of South Africa than simply to worry about the principle of voting.

Mrs. Chalker: I should be wrong not to say that the principle of voting is important. We hope that the all-party congress to discuss the modalities of the new constitution will proceed apace. Of course, it is critical that we lift the bans holding back the progress of black South Africans. South Africa needs investment if it is to provide training and job opportunities to young black South Africans. I am grateful to my hon. Friend the Member for Esher (Mr. Taylor) for welcoming our announcement not only to give more than £500,000 over four years for teacher training, but to support other projects that will lead to training and work for young black South Africans so that they can take their rightful place in the new South Africa.

Mr. Irvine: Does my right hon. Friend agree that one of the most encouraging features about British Government aid to developing countries in recent years has been the improvement in its quality and effectiveness? During her visit to Mozambique in particular, was she able to see that improvement in effectiveness taking place?

Mrs. Chalker: Indeed, I was. I went up to Magude and then further up the Limpopo railway line where the workers are doing work with our money at the same time and so improving that line. I saw work in the port and work on power stations. It is going well and the quality is high.

Mr. Peter Bottomley: Does my right hon. Friend agree that her discussions showed that courage and persistence are needed by Nelson Mandela, Chief Buthelezi and President de Klerk in trying to overcome the prejudices and provocations that are still likely to unsettle the path to one person, one vote and to full economic development?

Mrs. Chalker: Yes. We hope that all parties will get together to join in the process of peaceful change. I stressed that to all whom I met—the Pan Africanist Congress, the ANC, Inkatha and AZAPO—the Azanian People's Organisation. I hope that there will soon be progress.

Sir Russell Johnston: Was one of the views that the Minister reached on her visit that the European Community should increase its regional allocation from the figure agreed under Lomé IV?

Mrs. Chalker: In fact, Lomé IV will not apply to South Africa, but it applies to Mozambique. We shall have a debate tomorrow night on the details of that. I shall be able better to answer the hon. Gentleman's question at that time, because it needs to be answered at length.

Mrs. Dunwoody: Will the Minister confirm that what is needed in South Africa, as well as peace, is food? Is it true that a large part of the allocation of moneys that she announced will be held over until the beginning of the financial year?

Mrs. Chalker: The hon. Lady does not understand the progress of giving food aid. When we are asked for help, we ask in what way that help can most aptly be applied. Sometimes it is with transport costs and sometimes it is with transport equipment, but all that we have learnt in recent years is that we must keep the food pipeline full. We are now nearly at the end of February. Food is needed from April onwards. That is when it will get there and that is what has been arranged.

Mr. Tony Banks: Did the Minister have the opportunity to discuss with conservationists in southern Africa the impact of the construction of the northern buffalo fence in the Okavango region of Namibia? Is the Minister aware that that fence has been constructed because of the requirements of the EC to establish a foot and mouth disease-free range, but that its impact on the wild creatures—elephants, giraffes, buffalo and wildebeest—is catastrophic? Will she consult the authorities in Namibia to call a halt to the construction of that fence until a proper environmental investigation of its impact has been made?

Mrs. Chalker: As I understand it, the authorities in Namibia have not been concerned with this matter—it involves the authorities in Botswana. As the hon. Gentleman knows from questions that I have already answered to him, we are looking into this matter most carefully.

Mrs. Clwyd: Although additional assistance for Mozambique is welcome, does not the Minister realise that an emergency appeal made by Mozambique and the United Nations last year for £76 million to help with famine, refugees and the effects of war has still not been met? However, the Minister said—I am very puzzled by this—in an interview in the environment section of *The Guardian* on Friday:

"If I needed more money, I could go and get it."

Is she telling the House that despite the fact that 27 million people in Africa are starving and crying out for help, she has not even bothered to go to the Treasury to ask for more money to meet their needs? If that is the case, she is failing them and failing in her job.

Mr. Chalker: First, it is 29 million people who may be at risk of starvation in 25 African countries. We are extremely well aware of the problem. Secondly, we have planned our expenditure and we have planned our provision with the non-governmental organisations which I met last week to make sure that we keep the pipelines as full as we can. However, it simply cannot be left to Britain alone. That is why I have written to all other major aid donors to make sure that they make adequate contributions and we shall carry on doing so ourselves.

Sub-Saharan Africa

35. **Mr. Butler:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the number of children in sub-Saharan Africa who are likely to be orphaned as a result of AIDS; and if he will make a statement.

Mrs. Chalker: In the analysis for UNICEF, covering 10 African countries, the data are all estimated and based on selected assumptions. Therefore, the data must not be used as though they were exact. They can indicate only that during the 1990s between 3 million and 5·5 million of the 50 million children under 15 years of age by 1999 may be without mothers.

Mr. Butler: My right hon. Friend will be aware that according to the ODA's own research, one eighth of all children in the Rakai district of Uganda are orphaned and that that may be connected with the 30 to 40 per cent. HIV positivity rate among young adults there. If that trend continues unabated in sub-Saharan Africa, is not a disaster looming?

Mrs. Chalker: We believe that the situation in Rakai may be far worse than in other areas. As I tried to explain in my letter of 18 February, it is not right to extrapolate from those figures to the rest of Africa. When dealing with this terrible disease, we must beware speculation. We are doing a great deal through the World Health Organisation's global programme on AIDS to help with the AIDS factor and we shall continue to do so.

The Gulf

3.31 pm

The Secretary of State for Defence (Mr. Tom King): The final phase for the liberation of Kuwait and the achievement of the United Nations resolutions was launched in the early hours of Sunday 24 February. After more than six months of international endeavour to achieve a peaceful resolution of the crisis, the continuing refusal of Iraq to comply with the UN resolutions, and the rejection of the final deadline from the coalition, left us no alternative but to proceed with the final ground campaign. The need for this was further confirmed by the fact that, at the very time that Tariq Aziz was still purporting to negotiate in Moscow, Saddam Hussein was giving orders for the wholesale destruction of Kuwait and its oil fields, and for further outrages against its citizens.

The land operations involve forces of no fewer than 11 countries: the United States, Saudi Arabia, the United Kingdom, Egypt, France, Syria, the United Arab Emirates, Bahrain, Qatar, Oman and, of course, Kuwait. They have now been under way for 38½ hours. So far, progress has been rapid and relatively little opposition has been encountered.

Excellent planning and preparation and, above all, determination have enabled the coalition forces rapidly to penetrate the extensive obstacle belt that the Iraqis had constructed both along the Saudi-Kuwait border and along a substantial part of the Saudi-Iraq border.

To the east of that front, coalition forces have now advanced well into Kuwait and have taken a significant number of prisoners. Many of the Iraqi units encountered surrendered almost immediately.

To the west, United States, United Kingdom, Saudi and French forces have mounted an operation into Iraq against Iraqi forces supporting the occupation of Kuwait. Some elements are encircling Iraqi units; others are breaking through defensive positions and beginning to engage Iraqi units directly. The 1st British Armoured Division is fully involved in the thrust and is now moving steadily forward.

The Saudis have announced that the number of prisoners of war taken by the coalition has now risen to 20,000. Casualties on the coalition side have been very light. As the House may be aware, two British soldiers lost their lives in the days immediately before the start of the ground offensive, and their families have been told of their deaths. On my latest information, there have been no British casualties in the main advance.

In support of the land advances, allied air forces, including British aircraft, have continued their attacks both on strategic targets in Iraq and on the Iraq ground forces in Kuwait and Iraq. The attacks are continuing in spite of poor weather conditions and without serious interference from the smoke of burning oil wells.

Maritime and amphibious forces in the northern Gulf are playing their part in the coalition attack. In particular, the Royal Navy is playing a crucial role in mine clearance operations. During the operations last night the Iraqis fired a Silkworm missile, which was destroyed by a Sea Dart fired from HMS Gloucester.

It is vital that we give all the support that we can to the coalition forces in their challenging task. One of the key advantages is the lack of knowledge that the Iraqis have about our exact positions and plans. We must preserve that advantage. That is why we have been so concerned to restrict any information about the military operations that could be of help to the enemy at a critical time. I understand the great interest of the whole country in the progress of our forces, and particularly among the families of all those involved, and we shall do all that we can to give accurate information, provided that it can be done safely and without putting lives at risk. In the meantime, we look for the full understanding and co-operation of all those reporting and commenting on the battle.

This further phase of the campaign has started well, and every credit is due to General Schwarzkopf and all the coalition forces. However, they know that the Iraqi forces in the front line are their least capable and likely to be of the lowest morale.

The news so far has been good. There may be days ahead when it is more difficult. But whatever the ups and downs, our forces know that they have the support of all the House and the nation. Our prayers and our best wishes go with them as they complete the task.

Mr. Martin O'Neill (Clackmannan): I thank the Secretary of State for his statement. I recognise the need to avoid making helpful information available to the enemy, and realise that that precludes the disclosure of some of the details that the House and the media may wish to hear. On behalf of my right hon. and hon. Friends, I express sympathy with the families who have already lost loved ones in the conflict and relief at the low number of casualties and the high number of prisoners taken. I am sure that that is attributable in no small way to the bravery and professionalism of our troops.

I am sure that the whole House will recognise that responsibility for the intensification of the conflict lies with Saddam Hussein and his unwillingness to allay coalition misgivings about the failure of the laudable Soviet attempt to secure a last-minute peace settlement guaranteeing an immediate ceasefire and withdrawal from Kuwait. Could anyone accept the strength of a Foreign Minister's assurance that he could commit his troops to withdraw from a country while his President and Commander-in-Chief was giving orders to the same troops in the same country to put that country's land to the torch and its people to the sword?

Can the Secretary of State confirm that the incursion into Iraqi territory by coalition forces is designed to cut off the Iraqis retreating northwards out of Kuwait and does not represent an alteration in the war aims? Will the right hon. Gentleman explain the arrangements being made to assist in curbing the oil well fires? Can he tell the House whether napalm was being used by allied forces and, if so, for what purpose?

Can the Secretary of State confirm whether the Prime Minister was in contact with President Gorbachev at some time between his last statement to the House on Friday and Saturday's deadline? Will he tell us the latest and most up-to-date position of British forces?

Opposition Members give their full support to our troops and the coalition forces at this time of peril. We share their determination that Kuwait should be liberated. We do so not in any spirit of complacency, which would be as foolish as it would be dangerous, nor with any sense of euphoria, which would be as insensitive as it would be inappropriate in view of the dangers ahead; we give that

support in a spirit of determination that a victorious conclusion for the military forces of the United Nations can be accomplished as speedily and decisively as possible.

Mr. King: I am very grateful for, and I know that the House very much appreciates, both the content of what the hon. Gentleman has said and the manner in which he responded to my statement. It is no secret that it is of the greatest support to our forces to know the strength of the support right across the House of Commons as they undertake this difficult and challenging task. I am grateful to the hon. Gentleman for speaking on behalf of his right hon. and hon. Friends.

The hon. Gentleman was right to say that my right hon. Friend the Prime Minister was in touch with President Gorbachev, with whom he had a 45-minute conversation on Saturday morning. That was part of a wide consultation, including with Presidents Bush and Mitterrand, and the other leaders of the coalition. Indeed, a feature of the coalition has been the close contact that has been maintained, to which my right hon. Friend attaches great importance.

The hon. Gentleman asked particularly about napalm. I am pleased to confirm that it was used and that it proved extremely effective in tackling one of the difficulties in the obstacle belt—the oil-filled trenches to which the Iraqis intended to set fire at a time of their convenience. Instead, we arranged to set fire to them with napalm at a time of our convenience so as not to disrupt the attack. I am grateful to the hon. Gentleman for giving me the chance to confirm that.

I appreciate also the support that the hon. Gentleman has given for the need to show some restraint at present about the flow of information. There is, of course, acute interest among all of us and the entire country about what is happening, but we must respect the fact that this is a challenging campaign. It has begun well, but we are now entering the critical phase of the land battle and it is vital that we give our forces all support at this time.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am sure that the House will want to bear in mind what the Secretary of State said in his statement. I propose to give precedence today to those hon. Members who were not called following the statement on Friday. I ask for brief and careful questions.

Sir Peter Blaker (Blackpool, South): Is my right hon. Friend aware that Back Benchers wish to express their support for the coalition forces, and especially for our own forces, in addition to the support for them that has already been expressed by my right hon. Friend and the hon. Member for Clackmannan (Mr. O'Neill)? As this is Kuwait's national day, does my right hon. Friend agree that it would be appropriate for the House to express its admiration for the conduct of those Kuwaitis who have been allowed to remain in Kuwait in the face of the plunder, looting and terror that has been wreaked on the Kuwaiti people by the armed forces and the secret police of Iraq? Does my right hon. Friend agree that that conduct of Saddam Hussein is another reason why it was right not to delay the ground offensive any longer?

Mr. King: I am very grateful to my right hon. Friend for his support. I am sure that he is right to draw attention to the role and position of the Kuwaitis. I suspect that I was not the only hon. Member who heard that moving comment on the radio earlier today when one Kuwaiti officer was asked whether he felt frightened or any fear: "Why should I? I am going home." Recognition of the fact that the home to which the Kuwaiti forces go has been tragically and awfully disfigured should redouble our determination to see that home liberated at the earliest possible moment.

Mr. Menzies Campbell (Fife, North-East): On behalf of my right hon. and hon. Friends, may I express to General Sir Peter de la Billiere and all those under his command our congratulations and fervent hopes for a speedy outcome to the land battle with the minimum of casualties? From the properly guarded information that the Secretary of State has given the House, it appears that the allies may be set for a successful military outcome. Does the right hon. Gentleman agree that a successful political outcome will depend on a proper judgment as to the time when hostilities should cease?

Mr. King: I am sure that the answer to the last part of the hon. Gentleman's question is yes. We have made absolutely clear where we stand. We are determined to see the United Nations resolutions implemented, and peace and stability restored to the area. Those have been our abiding concerns. I am grateful to the hon. and learned Gentleman and to his hon. and right hon. Friends for their support at this testing time for our forces. We can be very proud of the way they have conducted themselves under the leadership of General Sir Peter de la Billiere. I spoke to the general about 30 minutes ago, and he confirmed that, within the last hour, the first armoured division had taken its first 100 Iraqi prisoners. As the division moves forward, it is coming into contact with more capable Iraqi units. I have no doubt at all that our soldiers will give an excellent account of themselves.

Mr. Michael Mates (Hampshire, East): Will my right hon. Friend, in passing on our congratulations and thanks to all our troops in the Gulf, acknowledge the debt that we owe also to all the staffs in this country—from the people at the Ministry of Defence at High Wycombe to those in depots up and down the country—who have striven to make this operation, which has been a logistical nightmare, such a success? Will he acknowledge also that what has happened in the last 24 hours fully justifies the length, severity and determination of the air assault, which has come under so much criticism in some sections of the media?

Mr. King: We hope that this will be a short, sharp campaign with the minimum of casualties. As my hon. Friend has said, the opportunity to make it so owes a tremendous amount to the success, perseverance, courage and determination of all the air crews. Over the past weeks, those crews performed with great skill to ensure that on the battlefield the balance was tilted in favour of the coalition.

I agree with my hon. Friend that the credits do not stop there. In a very real sense, this has been a team effort. I am thinking, for instance, of the armed service units in Germany that surrendered some of their equipment and provided all the support they could, and of many civilians. Let us not forget how many British civilians are serving in what is a war zone to make sure that our forces, as well as Saudi and other forces, get the support that they need. I am very proud to play whatever part I can in what has been a remarkable team effort.

Mr. James Molyneaux (Lagan Valley): Is the Secretary of State aware that, on the very day on which British troops were being committed to battle in the Gulf, a vicious attack was launched on troops in the South Armagh region of the United Kingdom, not very far from where the Prime Minister had displayed such courage a few days earlier? Is the Secretary of State aware that this kind of treachery results from the warped thinking of the republican movement, whose attitude is that England's difficulty is Ireland's opportunity? Is he aware that such thinking and such action can be met only with firm resolution and resolve and that they cannot be dealt with by concessions, any more than can the actions of Iraq?

Mr. King: Bearing in mind the personal threats that have been made against its members, the present Government have done as much as have any Government to make it clear that we shall make no concessions to, and that we have no respect for, terrorism from whatever quarter it comes. I know that that attitude is shared by right hon. and hon. Members on both sides of the House. The right hon. Gentleman is right to draw attention to the fact that in the days before hostilities started, Saddam Hussein sought to intimidate and to threaten terrorism. I think that we can fairly claim that that did not alter our judgment and that it did not lessen one iota the determination of anybody in this House.

Mr. Michael Colvin (Romsey and Waterside): While paying tribute to the courage and skill of the allied forces, may I ask my right hon. Friend to comment on what I hope will have been Saddam Hussein's last speech, in which, following the announcement of the final phase in the campaign to free Kuwait, he called once more for a so-called jihad, or holy war, against the infidel? Can my right hon. Friend confirm that nothing could be further from the truth than the claim that this is a holy war? As he has stated, the allied forces include eight contingents from Arab countries. Those contingents come as representatives of the United Nations to help a small Arab country which was seized by a tyrannical Arab neighbour. For Saddam Hussein—a member of the Ba'ath party, and therefore a non-believer—to make such a claim is surely the sickest of sick jokes.

Mr. King: My hon. Friend is right to draw attention to the significant Arab contingents taking part in the ground campaign and to the determined way in which they are playing their part. None of those countries believed Saddam Hussein, and it is becoming increasingly clear, with the willingness of so many to surrender, that fewer of his countrymen believe him either.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Should not our thoughts be going out to those who are prisoners of war in Iraq? In particular, will the Minister make it clear that there will be no end to hostilities until we have a categorical assurance about the safe passage and return of prisoners of war?

Mr. King: I am grateful to the hon. Gentleman for raising that point. We have never forgotten the position of our prisoners of war. I am sure that the House shares the concern that the last we saw of them was the pictures of two of our pilots on Iraqi television, and that we have had no news of others. The hon. Gentlemen will be aware that, in the earlier requests about the conditions that we would agree for a ceasefire, we made it clear that the safe and immediate return of our prisoners of war was an absolute requirement.

Sir Michael Marshall (Arundel): Can my right hon. Friend say a word about the extent of Saddam Hussein's scorched earth policy in Kuwait? In particular, can he confirm that the Parliament building has been set on fire? Does he agree that those responsible for such actions should be held accountable when the fighting ceases?

Mr. King: Figures have been given of 600 or 700 oil fires burning in Kuwait. There are reports of a programme of destruction of buildings in Kuwait. I have heard it said that the Parliament building and certain main hotels have been destroyed. Information on this has not yet been confirmed, but it appears that instructions have been given for the wholesale destruction of Kuwait, as I said in my statement.

Mr. Merlyn Rees (Morley and Leeds, South): The Secretary of State will be aware that the House agrees with that part of his statement in which he said that we must not put lives at risk by giving more accurate information, but what about giving accurate information to families? Will he make sure that all families know whom to contact at all hours of the day and night, because they need reassurance? There is nothing like loneliness to intensify fear.

Mr. King: I agree entirely with the right hon. Gentleman. I hope that that is what is happening. If any right hon. or hon. Members have worries about the arrangements in their areas, I should be grateful if they would first check whether such arrangements are effective. If they have any query or uncertainty, I know that the office of my hon. Friend the Minister of State for the Armed Forces will follow that up. We have made the most thorough arrangements we can to help all the families—and, as hon. Members know, they are not just in this country. The husbands of some 10,000 wives in Germany are away in the Gulf. It is important to remember those families as well.

Rev. Ian Paisley (Antrim, North): Will the Secretary of State take it from me that all right-thinking people in Northern Ireland are behind the troops in the Gulf as they battle for the freedom of Kuwait? Furthermore, they welcome the call of Her Majesty the Queen for the nation to pray, and their thoughts are especially with the contingent of Ulstermen in the Gulf. Can the Secretary of State give us any information about the welfare of that contingent? Can he give us an assurance that it will be the Government's policy to bring to justice those who have carried out the atrocities in Kuwait?

Mr. King: I can indeed confirm that our thoughts are with our forces at this time, and no less with our forces from Northern Ireland. On the information available to me, although I have not yet checked this, I think it probable that the first members of the British forces whom the Iraqi prisoners of war met were from Northern Ireland and I am sure that they were given a good welcome. We support the comments of the hon. Gentleman.

Mr. Jim Sillars (Glasgow, Govan): Will the Secretary of State confirm that the allied ultimatum, with its reference to withdrawing to the position of 1 August, was quite meticulous in remaining within the United Nations mandate, whereas the Soviet proposal absolved Saddam

Hussein not only of the crimes that he committed before Saturday but of the torching of Kuwait and the intensification of the killing of Kuwaiti citizens?

Mr. King: The hon. Gentleman makes a perceptive point. There must be many people in Moscow who felt that they were negotiating in good faith but who now feel singularly betrayed by what they have found was happening and what Saddam Hussein's instructions were while Tariq Aziz was in Moscow.

Mr. Michael Latham (Rutland and Melton): Will my right hon. Friend confirm that rumours persist of the most abominable atrocities in Kuwait? Will he welcome the statement made today by Prince Khalid bin Sultan in his military briefing that those responsible for atrocities in Kuwait will be held accountable when the war is over?

Mr. King: Both my right hon. Friend the Foreign Secretary, when the invasion of Kuwait took place, and I have made it clear that all individuals will be held personally responsible for their actions.

Mr. Jack Ashley (Stoke-on-Trent, South): Is the Secretary of State aware that there have been excellent co-ordination plans for helping wounded troops from the battlefield to hospital, but that there has been no such co-ordination for counselling, psychiatric care, social services, rehabilitation, jobs and adapted housing for wounded personnel? As those matters are covered by a wide variety of Departments, will the Secretary of State recommend to the Prime Minister the appointment of a special Minister to co-ordinate all those necessities for service personnel?

Mr. King: The right hon. Gentleman may not fully appreciate the work that has been done—and not just in terms of information on casualties. Counselling services, are available 24 hours a day throughout the country on a more comprehensive basis than ever before in our history. I know that all right hon. and hon. Members will welcome that.

Mr. Robert Boscawen (Somerton and Frome): Will my right hon. Friend accept that the best news today is the low level of British and other allied casualties? Will he further accept that battle accidents can cause as many casualties as enemy action? Does he therefore agree that the long training, great skill and leadership that has gone into the preparation for this struggle reflects great credit on our service men and those of the coalition forces?

Mr. King: The whole House will listen with respect to my hon. Friend, who obviously has knowledge of these matters. It is no secret that, even before the tragic accidents which affected United States forces a little earlier in this campaign, we were giving great attention to the risk of accidents to our forces. The greatest possible attention is being paid to avoiding that. Indeed, my hon. Friend will have noticed yesterday that the speed of advance in certain places caused problems and that great care was taken, particularly by Jaguar pilots, to change their targets so as to make sure that there was no risk of such an accident.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Is the Secretary of State aware that, amid the real qualms that hon. Members will have about a ground war, none can doubt that the allied coalition went that extra mile for peace? Whatever doubts hon. Members may have about the conduct of the war, and whatever their residual anxiety about whether the allied armies will be confined to the clear lines of the United Nations mandate, is the Minister aware that, provided that the UN mandate is observed, there can similarly be no doubt that the allied armies will be fighting a just war, that they will be in the right and that they will include no more formidable an asset than our 1st Armoured Division?

Mr. King: I am grateful to the hon. Gentleman. I heard one of my hon. Friends say that we have gone not one, but 20 extra miles. It is true that we went an extra mile , and an extra mile again, even before the air campaign was launched and yet again with the attempts to see if there could be a resolution before it was necessary to launch the ground campaign. We have tried very hard in that respect. I hope that we shall now see the successful achievement of the United Nations resolutions which, I make it absolutely clear, remains our objective.

Mr. Jonathan Sayeed (Bristol, East): Does my right hon. Friend agree that, if five armchair generals were to go on television or on radio discussing plans and dispositions, it is likely that the majority of them would propose a staff solution? As that solution is likely to be of interest to the Iraqis, would it not be better for those armchair generals to desist for the safety of our forces?

Mr. King: It is true that because of our air supremacy and strength in other respects, and because of their own lack of communications, the Iraqis are short of knowledge as to where our forces are and their operations. One of the few sources at present available to the Iraqis are radio and television broadcasts. Therefore, it is vital that we do not convey information to them through those media that may be of value.

Mr. Andrew Faulds (Warley, East): Was not President Bush's purpose in aborting the last chance of avoiding a ground war, with its attendant casualties, to ensure the destruction of Iraq's military capabilities so as to oblige his ally, Israel, with which there is a strategic alliance and which has wished the destruction of Iraqi forces ever since the Gulf war started?

Mr. King: I do not know whether the hon. Gentleman would make that intervention and address those remarks to the Arab members of the coalition, who are bound in our joint actions at this time, but I think that they would regard his intervention as an extremely silly remark.

Sir Trevor Skeet (Bedfordshire, North): Since the Iraqis have set fire to more than 200 wells, has my right hon. Friend any idea as to the quantity of natural resources that have been destroyed? When the war is over and we are trying to win the peace, will my right hon. Friend consider giving the Kuwaitis, as compensation, part of the Rumailia field that they do not presently own and also part of Zubeir?

Mr. King: The figures of the number of wells that have been destroyed are not absolutely clear at the moment. I understand that what has effectively been lost in the present fires is the current rate of production of oil naturally emerging which does not mean the long-term extinction of the oil reserves.

Mr. John Cartwright (Woolwich): Since one of the most powerful arguments for launching the ground offensive

[Mr. John Cartwright]

was the intensification of the mediaeval barbarity inflicted on the Kuwaiti people by the Iraqi occupying forces, can the Secretary of State assure us that in the current debate about war aims the future safety and security of Kuwait will be high on the list of coalition priorities?

Mr. King: Yes, I can. I have made it clear that we are liberating Kuwait, and we seek to ensure that Kuwait stays liberated. I agree with the hon. Gentleman, because at each stage of this tragic conflict that none of us sought, Saddam Hussein seems to have gone out of his way to confirm us in the rightness of our judgment.

Mr. Robert N. Wareing (Liverpool, West Derby): Does the Secretary of State agree that, if Saddam Hussein really believed that Kuwait was the 19th province of Iraq, the destruction of the oil installations was a peculiar way of showing it? Does he also agree that it is essential that an environmental team should be in train now, ready to go into Kuwait at the earliest possible moment to deal with the destruction of that country's environment?

Mr. King: The hon. Member makes a perceptive and fair first point. As for his second point, I understand that the Kuwaiti Government are working on it now.

Mr. Donald Thompson (Calder Valley): Does my right hon. Friend understand that my constituents have been subjected to a politically motivated peace campaign which has been an embarrassment to people of genuine good will and peace? Does he further understand that most of my constituents wholeheartedly support the coalition and are not much interested in impartiality? They are partial to their own troops and their own side, and they would be angry if they received the sort of so-called impartial reports that the correspondents have lately been sending us.

Mr. King: I have never doubted where the true views of the people of Yorkshire lie. I certainly understand the views of my hon. Friend's constituents. The longer the crisis has developed, the more this country and the world have recognised the need for the action that we are taking; and I have certainly felt that strong support at this difficult time.

Mr. Jim Lester (Broxtowe) *rose*——

Hon. Members: That is two Conservative Members in a row.

Mr. Speaker: I know. I made a mistake earlier when I called two Opposition Members, so now I am balancing things up.

Mr. Lester: Will my right hon. Friend confirm that the military objectives of the coalition forces in Iraq are fully contained within our declared war aims and the United Nations resolutions?

Mr. King: I can confirm that.

Mr. Dennis Canavan (Falkirk, West): How can anyone seriously claim that this military operation is under the control of the United Nations when the United Nations Security Council has in effect been suspended and the United States of America is calling all the shots and commanding all the coalition forces, including the British forces? How many more young people have to die before the politicians have the guts to tell the military to call a ceasefire and to make every effort through the United Nations to find a peaceful negotiated solution?

Mr. King: The hon. Member could make that contribution only if he refused to believe the evidence of what is happening in Kuwait. I heard him ask how many more young men would die, seeming blithely to ignore the appalling suffering and the outrages that have been committed in Kuwait. How many more people have to die before we can speedily complete this campaign and Kuwait can be liberated?

Mr. Robert Banks (Harrogate): Can my right hon. Friend give the House any idea of the numbers of tanks and vehicles and the quantity of equipment captured by the allied forces? As the campaign draws to a close, as we all hope that it shortly will, will the allied forces continue to give full attention to eliminating military targets which pose a threat to the future safety of Kuwait?

Mr. King: I can confirm that we are continuing the air campaign in spite of the poor weather, seeking to ensure that strategic areas which might be involved in the resupply of the forces in the Kuwait theatre are sufficiently inhibited.

I cannot give my hon. Friend exact figures on the capture of equipment, but just before I came to the House I saw the latest press briefing given by Brigadier General Neale of the United States, in which he gave further figures about substantial numbers of T72 tanks and spoke of tanks in republican guard units now on the move which had been captured or destroyed. However, it is clear that the figure is changing rapidly.

Mrs. Maria Fyfe (Glasgow, Maryhill): Does the Secretary of State recognise that many people in this country would have gone the extra mile—indeed, an extra 10 miles—before sending 17-year-olds into battle? What assurance, if any, can he give to those who have expressed concern about sending 17-year-olds with our forces into the land war?

Mr. King: I met a 17-year-old in Germany who was told that he was to be left behind because he was too young to go with his unit. His protests at not being allowed to go with the other forces showed clearly the tremendous morale and mutual support in the regiments and units that went to the Gulf.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend accept that, whenever there is a conflict, many young Birmingham people are involved—*[Interruption.]*

Mr. Speaker: Order.

Mr. Beaumont-Dark: Those people hope that one clear development will come out of the justifiable and dreadful Armageddon that has overtaken Saddam Hussein and his forces is that it will help to deter other petty Saddam Husseins from embarking on such dreadful adventures, which bring misery to their own people and to the rest of the world.

Mr. King: My hon. Friend has drawn attention to the importance of the position taken by the United Nations Security Council, and to the reason why the Security Council gave authority to member states to use all

necessary means to ensure that United Nations resolutions were observed. That is what we are doing, and if our aim is successfully achieved, it will strike a blow for better peace and security in the world in future.

Mr. David Winnick (Walsall, North): When all is said and done, do not all of us—in the House and in the country at large—owe a tremendous debt of gratitude to all the allied forces, who are engaged in fighting a monstrous tryanny which invaded, occupied, raped and pillaged a neighbouring country and, even now, continues to permit the foulest of crimes? Those responsible should certainly be brought to justice.

As for the consequences for ordinary Iraqi soldiers, surely the choice now lies in their hands. If they want to save their lives, they should surrender to the allies as quickly as possible—as, indeed, many are doing. Otherwise, many will undoubtedly be cut down and destroyed in battle; they will be dying for no purpose, and on behalf of a regime which holds them in utter contempt.

Mr. King: The hon. Gentleman has put very eloquently —as he has done on other occasions—feelings which are, I believe, shared by all hon. Members who see the necessity of facing aggression in this way.

Mr. David Tredinnick (Bosworth): Does my right hon. Friend agree that the Royal Navy's contribution in clearing mines and protecting United States battleships has been out of all proportion to the size of its force?

Mr. King: I understood my hon. Friend to say that the Navy had made a major contribution. There is no doubt that at present the Royal Navy, and especially with its skills in mine clearance, is playing a leading and crucial part in the amphibious and maritime contribution to the campaign in the northern Gulf.

Mr. Dave Nellist (Coventry, South-East): We have recently heard statements from the Minister in the Al-Sabah dictatorship that two years of martial law would follow the liberation of Kuwait. We have also heard repeated statements from Britain and America about hopes that another section of the Iraqi army would topple Saddam Hussein, leaving a dictatorship in charge. It is increasingly likely that the allied forces will occupy at least southern Iraq, and will stay for a considerable time. Where are the freedom and democracy for which so many young men and women from this country have been asked to die?

Mr. King: I should have thought that, on this of all afternoons, the hon. Gentleman could express some support for all our constituents who are in harm's way, and whom we wish God's speed in the hope of an early and safe conclusion to the conflict.

Mr. Tim Devlin (Stockton, South): Is it not a fine tribute to the Royal Air Force air crew and ground crew, many of whom come from the north of England, that so many of the targets which could have posed a threat to the ground forces this morning had already been destroyed before the troops arrived there? Will the RAF's continuing quest for the Scud launch sites be continued in the next few days so as to ensure that all those dangerous and mischievous missiles are destroyed?

Mr. King: Yes, the campaign against the Scuds and the attempt to prevent any further launches will certainly continue. It is difficult to obstruct them entirely, but it is clear that the pressure they face, and the risk of detection, have contributed to some of the inacuracy that they have shown and the speed with which they have been deployed and fired.

When the history of this campaign is written, I think that it will be possible to assess just how effective the campaign has been. If my hon. Friend wants me to give a judgment now, I can say that it looks as though the actual achievements are rather greater than some of the earlier estimates.

Mr. Peter Hardy (Wentworth): Given the rapid, encouraging and gratifying advance that has been made, will the right hon. Gentleman confirm that coalition forces are within a few hours at least of the southern Kuwaiti oil wells which are now ablaze? Will the speed of the advance be matched by action to try to extinguish those oil wells?

Mr. King: The hon. Gentleman gives me an opportunity to caution the House and to remind it of my statement. The ground campaign has begun well, but we are moving into the critical phase and are encountering forces of greater capability—I do not want to exaggerate or diminish their capability—than those in the front line. In addition, we should recognise that there are a substantial number of them. On the hon. Gentleman's point about environmental considerations, it will be an early concern to extinguish that appalling and nasty blaze.

Mr. Bill Walker (Tayside, North): Does my right hon. Friend agree that the risks that our skilled and courageous Air Force has had to take to minimise civilian casualties have been more than justified? Military commanders are carrying out exercises which are essential to prevent Saddam Hussein's military from launching a counter-offensive that could do irreparable damage to the allied forces. There are no military constraints on them doing what is absolutely essential.

Mr. King: My hon. Friend is right. The Iraqis still possess dangerous weapons and capabilities. Every day that the ground campaign is shortened will owe a tremendous amount to the skill and courage of our air forces, whose critically important work has not finished.

Mr. Bruce George (Walsall, South): The speed and rate at which Iraqi forces were captured or surrendered must have exceeded expectations. Is not that a mixed blessing, as it might cause considerable logistical problems for the armed forces? The Secretary of State sent additional forces to Kuwait to cope with the many prisoners expected, but does he foresee sending further troops to cope with what one hopes will be many additional surrendered or captured forces?

Mr. King: No, we have no such plans. The hon. Gentleman paid tribute to the campaign—which owes much, as he will understand, to the meticulous planning that went into it, including provision for medical and hospital facilities for prisoners of war. Extensive arrangements have been made, which I hope will prove adequate for the task.

Several Hon. Members *rose*——

Mr. Speaker: Order. We have another statement this afternoon. I shall call three more hon. Members from each side.

Mr. Jacques Arnold (Gravesham): Will my right hon. Friend emphasise that more than 30 countries from as far afield as Argentina, Niger and New Zealand have sent armed services contributions to the United Nations effort in the Gulf? Do not those contributions from such a wide range of countries show that this is indeed a United Nations effort?

Mr. King: That is absolutely correct. The substantial United Nations contribution dwarfs the only other comparable occasion—the Korean war.

Mr. John McAllion (Dundee, East): Does the Minister agree with the Soviet spokesman who said that an opportunity for achieving the aims of the United Nations resolution without further bloodshed had been tragically missed? Does he agree that, rather than acting as Little Sir Echo to whatever George Bush said, the Prime Minister should have thrown the weight of this country behind the Soviet peace plan and against the war faction within the American Administration?

Mr. King: The hon. Member said that an opportunity to achieve the aims of the United Nations resolution without further bloodshed had been tragically missed. At that time, Saddam Hussein had given instructions for the total destruction of Kuwait.

Mr. John Marshall (Hendon, South): I congratulate my right hon. Friend on the success of the land war so far, which has been due to the great courage of all the troops involved and the remarkable co-operation among soldiers of many different countries. Does my right hon. Friend agree that the events of the past few days have confirmed that there will be peace in the Gulf only when Saddam Hussein is deposed and his military machine destroyed?

Mr. King: Our first objective is the liberation of Kuwait. Our next objective is the achievement of all the United Nations resolutions. We have made that position absolutely clear. I am grateful to my hon. Friend for his tribute to the determination of all the coalition forces and to the leadership of General Schwarzkopf, the commander-in-chief, in achieving the excellent progress that they have made so far.

Ms. Joan Ruddock (Lewisham, Deptford): Further to the question put by my hon. Friend the Member for Clackmannan (Mr. O'Neill), which I believe remains unanswered, will the right hon. Gentleman tell us clearly where the limits to the war aims lie, now that the land battle has been engaged?

Mr. King: With respect, I have answered that question about four times. There is no change in our position. We have made absolutely clear our commitment to the achievement of the United Nations resolutions.

Mr. Robert G. Hughes (Harrow, West): Does my right hon. Friend agree that, because of the professionalism and bravery of allied troops, it must occur even to Saddam Hussein fairly soon that his days are numbered? Does my right hon. Friend agree that there is a danger that Saddam Hussein will seek to vent his anger on Israel, which has been no part of the dispute or war? Does he agree that the coalition must keep an open mind about providing more support for the defence of Israel, should that anger be turned on Israel in further murderous attacks?

Mr. King: I do not think that Saddam Hussein is "about" to vent his anger on Israel—he has made a number of attempts. One of the most appalling features of the situation has been that Israel, a non-combatant country which is not in conflict with Iraq in this matter, has been deliberately attacked by Iraq. We have done all that we can to prevent that. I give my hon. Friend the assurance that our determination to do all that we can will continue.

Dr. Norman A. Godman (Greenock and Port Glasgow): My abiding concern is with our front-line soldiers. Several score of my young constituents are serving with the Scottish regiments, and presumably many of those young men are in Kuwait. Despite that concern, I seek an assurance about Iraqi prisoners of war. Given the squalid human rights records of Syria and Saudi Arabia, how confident are the Secretary of State and the Prime Minister that those poor bloody Iraqi infantrymen will be treated by the Syrians and Saudi Arabians in conformity with the Geneva convention—in other words, humanely and compassionately?

Mr. King: All the coalition countries have made clear their commitment to the scrupulous observance of the Geneva conventions and have made extensive arrangements to that end. Representatives of the International Committee of the Red Cross——

Dr. Godman: The right hon. Gentleman knows that that is not the truth.

Mr. King: The hon. Gentleman says that I know that that is not the truth. The International Committee of the Red Cross has already made visits—it did so before the conflict started—to satisfy itself about the adequacy of the arrangements for prisoners of war. I certainly give the hon. Gentleman my assurance that the British Government have made that absolutely clear. We are anxious that all the coalition countries treat prisoners of war in that way.

Prisons (Woolf Report)

4.23 pm

The Secretary of State for the Home Department (Mr. Kenneth Baker): With permission, Mr. Speaker, I wish to make a statement about the report of Lord Justice Woolf's inquiry into the disturbances last April at Strangeways prison, Manchester, and other prisons. I am grateful to Lord Justice Woolf and to Her Majesty's chief inspector of prisons, Judge Tumim, who joined in part II of the inquiry, for such a wide-ranging and constructive report, which includes 12 recommendations and 204 proposals.

The events of last April were unprecedented and unacceptable. Control of one of our largest prisons was lost for 25 days. Significant violence erupted at eight more prisons and at others control was maintained with great difficulty. The country was shocked by the defiance and destruction that we saw nightly on our television screens. I utterly condemn the behaviour of the small minority of the prisoners who joined in that orgy of destruction. As the House will be well aware, 183 persons have been convicted or are now awaiting trial on charges including murder and riot.

The report concludes that some decisions might have been taken differently. Nevertheless, Lord Justice Woolf stresses, and I wish to stress to the House today, that the disturbances were handled with great skill and courage by the prison staff at all levels.

Although Lord Justice Woolf makes some critical comments about the prison service, he also emphasises that the public have every reason to be extremely grateful to the members of the service who over a number of years have shown immense dedication, courage and professionalism. I endorse that judgment.

Immediately after the end of the riot, my predecessor put in hand urgent action. Incidents of this sort must be dealt with firmly and quickly. We have therefore set up a new incident control centre, overhauled contingency plans and clarified the lines of responsibility for dealing with riots.

More staff have been trained in the new and improved techniques of control and restraint that are necessary to handle dangerous incidents. The stock of riot control equipment has been increased. We have completed a review of the physical security of prisons, in particular access to roofs, and substantial improvements have been made.

The country will not tolerate the kind of disgraceful behaviour witnessed last April. We must make clear our utter condemnation of it by introducing a new deterrent. We shall, therefore, as we have already made clear, bring before the House proposals to create a new offence of prison mutiny, which will carry a maximum penalty of 10 extra years in prison. However, Lord Justice Woolf emphasises that we need to balance security and control with justice and humanity and I wholly endorse that view. Guilty criminals have to be punished by the loss of their liberty. Dangerous criminals have to be detained to protect the public.

It is not the purpose of the prison system to provide holiday camps for prisoners, but it is not the purpose of the prison system to provide physical conditions that degrade and humiliate prisoners and strip away their self-respect. Prisons should be places that are austere but decent, and provide a busy and positive regime which prepares criminals for their ultimate release.

Many reforms are already in hand, started by a major programme inaugurated by one of my predecessors, Lord Whitelaw, in 1979. Since 1979, eight new prisons have been built and 13 more are under construction. Over the next two years, 12 new prisons will be opened. The prison population is now some 4,000 below what it was in September 1989. That means that we are in sight of the end of overcrowding. We can now take those reforms a major step further.

I consider that the practice of prisoners having to slop out is degrading and intolerable. It makes it very difficult to run a sensible prison regime and should be brought to an end. The present target is to do that in 1997. Lord Justice Woolf recommends that it should be not later than February 1996. In my view, we can and should do even better. I am now launching a programme to provide all prisoners with access to sanitation day and night by the end of 1994. That programme will cost an extra £36 million over the next four years. I will find half that from existing provision, but I am glad to say that an additional £18 million will be provided.

I also consider that it is wrong for juveniles awaiting trial to be held in prison and I intend to bring that practice to an end.

The report also makes many helpful recommendations about the regimes that we provide for prisoners. We must not forget that while imprisonment punishes the criminal and protects the public, its other purposes are rehabilitation and preparation for a return to the community. Since 1988, there has been a substantial increase in the hours spent on education, from, 5·5 million to 7·7 million. I want to see more prisoners taking up educational courses and training in skills, so that they will have a better chance of leading a life free from crime when they are released. Prisoners must be kept constructively occupied in workshops and other activity, and Lord Justice Woolf makes important recommendations in that area.

Lord Justice Woolf also emphasises how important it is for prisoners to retain their family ties. In my view, it is vital that prisoners maintain that link so that they can assume their family responsibilities on release. It is also the thrust of Government thinking that everything should be done to avoid the break-up of families which can contribute to delinquency and crime. I therefore propose to increase the level of visits to prisoners and extend the arrangements for financially assisted visits for visitors who are on low incomes. I have also decided to increase the opportunities for home leave in open prisons from three times a year to six times a year. I am placing details in the Library of the House.

Lord Justice Woolf points out the value of cardphones, which allow prisoners to retain contact with their families. I am therefore announcing, subject to some limitation for security reasons, that cardphones paid for by prisoners will be provided in all prisons that do not already have them.

Despite the availability of cardphones, letters remain very important to most prisoners. Like Lord Justice Woolf, I believe that the present levels of censorship are unnecessary. I have therefore decided to abolish routine censorship in all establishments except dispersal prisons. Governors will retain, for security reasons, the right to censor.

[Mr. Kenneth Baker]

Those measures represent a major series of reforms, but cover only some of Lord Justice Woolf's recommendations. He makes many other proposals, including the place of the prison service in the wider criminal justice system and the higher management of the service, and I shall give them careful consideration. I propose to issue a White Paper later in the year to take account of those recommendations and chart the direction of the prison service for the rest of the century and beyond.

The changes will transform the living and working conditions of both prisoners and prison officers, but they depend crucially on the managers and staff of the prison service. I have already visited many prisons and have been very impressed with the dedication and concern of the governors and staff whom I have met.

Industrial relations in the prison service have, from time to time, been troubled. The future well-being of the service requires a new spirit of co-operation on all the issues that we face. With that in mind, I saw the trade unions representing all prison service staff earlier today. I very much hope that they will respond in the spirit of Lord Justice Woolf's proposals.

The events of last April marked a watershed in the history of prison service. We cannot, and will not, tolerate the savagery and vandalism in our prisons that we saw then. We have already taken urgent action to remedy deficiencies. Lord Justice Woolf's report recognises that, while prisoners must be held in secure conditions, a decent regime enhances security by making incidents such as those of last April less likely. The Woolf report recommends constructive changes to our prison system which build on the substantial modernisation of the last decade. I have announced today further reforms and more will follow. I commend the report to the House.

Mr. Roy Hattersley (Birmingham, Sparkbrook): I begin by offering my whole-hearted congratulations to Lord Justice Woolf on producing a report which can lead to the radical reform of the prison system that this country has needed for so long. The theme that runs through his report is that, although our prison service is generally excellent, it is, all too often, a disgrace to a civilised community.

Like the Home Secretary, I condemn those responsible for the Strangeways riot. Like him, I note that Lord Justice Woolf believes that the prison service dealt with that disturbance, in general, with skill and courage. The important task now is to build on what we have learnt from that unhappy experience. I assure the Home Secretary that we welcome and will support his decision to end by 1994 the degrading process of slopping out. We also support his proposals for improved family visits, better access to families by telephone and letter, and juvenile custody.

Does the Home Secretary agree that the proposal that each prisoner should receive a contract setting out expectations and responsibilities could lead to a penal system that reduces the likelihood of further offences, rather than, as now, making them more likely? That requires the implementation of the whole report, I wish to press the Home Secretary on that, because he has not commented on Lord Justice Woolf's more fundamental recommendations.

I remind the Home Secretary that the majority of the report's proposals were urged on the Government a year ago by the Labour party and submitted in the Labour party's evidence to Lord Justice Woolf's inquiry. In addition to preserving family ties, we recommended a national system of accredited standards; so does Lord Justice Woolf. We recommended a revision of disciplinary procedures, including final appeal to an independent authority; so does Lord Justice Woolf. We recommended access to education, recreation and employment as a right; and so does Lord Justice Woolf. Those proposals were dismissed and derided by the Home Secretary's predecessor. We now look forward to and expect their speedy implementation.

Is it really necessary to wait so long for real progress to be made on those fundamental parts of Lord Justice Woolf's report? We appreciate that some of the structural reforms may take time, but could not the Criminal Justice Bill, which is passing through Parliament and has yet to go to the other place, have its long title amended to allow speedy implementation of at least some of the Woolf proposals? Were the Home Secretary to table new clauses, we would ensure their speedy passage.

How does the Home Secretary propose to implement the proposal that no establishment should hold more than a certified normal level of prisoners? He will recall that recent industrial disputes in the prisons happened because prison officers insisted that exactly that rule should be applied. I therefore ask him directly: is it possible to meet the Woolf requirements on accommodation without reducing prison populations to a far greater extent than the Government now intend? The Home Secretary will recall that we still have a prison population that is, pro rata, far greater than that of any other western democracy and, in the opinion of almost every commentator, far greater than it needs to be or should be.

Finally, I refer the Home Secretary to a paragraph in the report which described the prison service as succeeding "against heavy odds . . . to contain an almost impossible situation by showing immense dedication, courage and professionalism."

The impossible situation to which the report refers is not the Strangeways riot in particular but prisons in general. Since the prison service has acted in general with dedication, professionalism and courage, does the Home Secretary agree that the successful implementation of the Woolf report proposals depends on maintaining the good will of those who are employed in the service? Would not it be absurd to jeopardise that good will by implementing proposals for privatised prisons which are based on nothing more than ideological prejudice?

The Woolf report offers the chance for major reforms of our squalid and socially damaging prisons—reforms that will change them out of all recognition. I urge the Home Secretary to take that chance and to take it at the earliest opportunity.

Mr. Baker: I thank the right hon. Gentleman for his welcome for the report on the work that Lord Justice Woolf and Judge Tumim have done and for his support for my announcements today.

The right hon. Gentleman raised several matters, the first of which was contracts. It is an interesting idea, but it bears on another recommendation of Lord Justice Woolf —sentence planning. The right hon. Gentleman will know that prisoners in young offenders' institutions and life

sentence prisoners now have their sentences planned for them. That may be the most positive way in which to proceed.

The right hon. Gentleman urged me to introduce other changes very quickly. The points that have been made to me by the staff side and by the prison officers whom I met this morning were for a measured programme of reform. They made that point repeatedly. Much is happening in the prison service. Already major reforms are in hand, and I have added some more today. Those people stressed to me the importance of absorbing them and making sure that they work effectively.

As for the certificated level of prisoners in an establishment, we are moving to a situation—we are not yet there—in which overcrowding will come to an end. Over the next two or three years, the increase in places will be 6,000 or 7,000, and that will increase the availability of places to more than 50,000. The prison population this day is just below 45,000. So we are moving towards circumstances in which the supply of prison places will exceed the likely prison population. Of course, that does not mean that overcrowding will be eliminated in all prisons; some local prisons will still have problems. We shall have to work on that, which is why we want the rolling programme in order to end overcrowding.

The right hon. Gentleman asked about good will. I accept entirely that the good will of the staff is needed, and I pay tribute to those I met when visiting prisons. They are dedicated people who are conscious that their job is not only to run secure establishments but to help the prisoners in those establishments. I do not believe that that good will will be sacrificed as a result of the proposal to privatise some types of prisons, because privatised prisons operate satisfactorily in other parts of the world. I do not believe that privatisation will bear on that aspect.

The right hon. Gentleman repeated a point that has been made before—that we have a tendency to lock up more people in this country and that, by some measurements, we have a higher prison population. I asked the statisticians in the Home Office to prepare some papers on those figures.

Mr. Barry Sheerman (Huddersfield): To change them.

Mr. Baker: It is of no particular advantage to me to have them changed. As always, I am searching for truth. The chief statistician at the Home Office has done some work on the measurement of the prison population, not only in relation to the 100,000 figure of population, but in relation to the level of crime. On that basis, we do not emerge as the country that has a tendency to lock up more people.

The Woolf report points the way to a better and more positive system of prison regimes in which we can look forward to the possibility of more prisoners leaving prison in a better condition—or at least in no worse a condition —than when they entered.

Mr. John Greenway (Ryedale): Does my right hon. Friend agree that there is no possible justification for the savage violence and wanton destruction witnessed at Strangeways last April? Will he confirm that the ring-leaders will be prosecuted with the full vigour of the law? Does he also agree that, far from the Government's doing nothing, their prison building programme and the measures already contained in the Criminal Justice Bill provide the platform from which Lord Justice Woolf's recommendations for the future of our prison regime can be realised?

Mr. Baker: I echo exactly what my hon. Friend said. The actions that we saw at Strangeways—the defiance, the vandalism and the orgy of destruction—are quite unacceptable. As I said, about 183 prisoners are awaiting charges or have been convicted. Some of them face charges in connection with the most serious offences, including murder and riot. I cannot comment further, because those cases are sub judice, but the action put in hand by my predecessor will ensure that such incidents will not happen again.

Mr. Robert Maclennan (Caithness and Sutherland): Let me express my appreciation of the enormously authoritative and extensive work of Lord Justice Woolf and gratitude that the Home Secretary has seen fit to move rapidly on the specific matters on which he could move rapidly. Why has not the Home Secretary commented on what may be thought to be the central thesis of Lord Justice Woolf's report, which is that there has been a damaging failure of communication among all the agencies in the criminal justice system and that that underlay the appalling episodes that gave rise to the inquiry? I accept that we need time to consider the structural recommendations made by Lord Justice Woolf, but does the Home Secretary recognise that those recommendations are undoubtedly the most important for the future of prison reform?

Mr. Baker: I thank the hon. Gentleman for his comments on the Woolf report. There is already considerable co-ordination between the various component parts of the criminal justice system, and conferences are constantly under way to bring the various parts together. Of course, in preparing the White Paper, I shall look carefully at that point, which is the first in the recommendations.

Sir John Wheeler (Westminster, North): Does my right hon. Friend accept that there will be a wide and warm welcome for the recommendations that he has decided to accept, and for his announcement today? Does he agree that it will be necessary to consider with immense care the details of a report which contains 600 pages? There will be a great welcome for his proposal to publish a White Paper, but does he agree that it should consider both the structure of the prison service and the purpose of imprisonment?

Mr. Baker: Yes, I agree with my hon. Friend. The wide-ranging nature of the report, which contains more than 200 proposals and 12 recommendations, goes to the very heart of the structure of the prison service and the penal system. I agree entirely that the White Paper must address the structure of the prison service and its management as well as the regimes within prisons. It provides a major opportunity to set out and chart the course of developments for the rest of this century and, indeed, beyond.

Mr. Alfred Morris (Manchester, Wythenshawe): The appreciation of the House is clearly due to Lord Justice Woolf and to Stephen Tumim. What assessment has the Home Secretary himself made, in terms of what happened at Strangeways, of the effect of the wholly inappropriate accommodation there on people who are mentally ill and

[Mr. Alfred Morris]

certifiably so? How many such people were there last April and how many are now accommodated in other prisons due to the lack of other more suitable accommodation? Will the right hon. Gentleman also now urgently reconsider the Government's refusal to recompense the Greater Manchester police force for the full costs of its involvement in the Strangeways disaster?

Mr. Baker: On overcrowding, the report makes it clear that Strangeways prison was seriously overcrowded at the time of the riot; I draw the right hon. Gentleman's attention to part I, which deals with that. He asked where prisoners who were not held in prisons were being held.

Mr. Morris: The mentally ill?

Mr. Baker: On the mentally ill, I shall have to write to the right hon. Gentleman.

On the question of overcrowding generally, as a result of the riot, Strangeways will not be able to receive any more prisoners for some time, but K wing has been reopened and was re-occupied in December. That now holds about 190 prisoners and, in mid-May, it is planned to reopen G, H and I wings with integral sanitation. That will bring the certificated normal accommodation up to about 325 places. That will considerably relieve overcrowding, although I am disappointed to tell the House that some prisoners are still being held in police cells. I look upon that as unsatisfactory, even though the figure is well down.

The right hon. Gentleman asked about resources for the Greater Manchester police authority. Payments have been made in respect of some of the special costs involved, including the use of helicopters and the casualty information service that the authority maintained, but the main cost that the authority bore was that of keeping people in police cells. Payments have been made to Manchester police authority in respect of that.

Mr. Ivan Lawrence (Burton): Does my right hon. Friend agree that everyone concerned with the penal system will think this an excellent report and will welcome his commitment not to leave it on the shelf, and especially his realisation that all who work for containment and rehabilitation in the prison service will be able to achieve their tasks only if their work is undertaken in a humane and civilised environment?

Mr. Baker: I accept entirely what my hon. and learned Friend says. The punishment for a prisoner is the deprivation of his liberty. One does not have to add to that circumstances that may lead to degradation or humiliation, which may have the reverse effect of what is required. The philosophy behind the report and behind the thrust of the Government's reforms of prison management is to provide a positive regime for prisoners and ensure that they are involved in education and training. That must be done against the background described by my hon. and learned Friend.

Mr. Robert Litherland (Manchester, Central): The Home Secretary referred to "dedicated" prison staff. Does he agree that it would be outrageous to discipline any member of the Strangeways prison staff who was thrown into a situation last April that was not of his own making, when the real culprits of the piece were the Home Office in general and Mr. Emes especially, who was then the director-general of the prison service, and who overruled the governor's decision when the prison could have been taken the second day, thus saving a lot of misery and a lot of money?

Mr. Baker: When he reads the report, the hon. Gentleman will see that the incident is described in considerable detail, including the events leading up to the riot on 1 April, and the events of 1 and 2 April and the subsequent days. Although it is clear that the governor thought that there should be an intervention when the deputy director-general thought that there should not, Lord Justice Woolf considers that the plan to intervene should have been allowed to proceed. However, his report states specifically that there would have been a serious risk of injury, if not of death, to the members of staff involved, and he explains the reasons why the deputy director-general came to the view that he did.

In response to the hon. Gentleman's first point about disciplinary action, I must advise him that there is no recommendation in the report for disciplinary action against individuals. There may have been errors in what was said or not said or in what was not done, but there is no case for taking disciplinary action.

Mr. Michael Shersby (Uxbridge): Is my right hon. Friend aware that the whole House welcomes his statement that slopping out is to end by the end of 1994, which is two years earlier than was recommended by Lord Justice Woolf, and carries into effect the recommendations of the Public Accounts Committee? I am sure that all hon. Members will be pleased with that. What steps is my right hon. Friend taking to improve the command centre in London, and what additional training will be given in riot and restraint procedures?

Mr. Baker: The immediate reaction to the report was to improve procedures in the prison service to ensure that, if such an incident or anything similar were to happen again, the management procedures would work more effectively. The incident room in London has been improved and enhanced. The line of command and responsibility has been clearly laid down. In any similar incidents in the future, the governor will clearly be in charge, and his decision could be overridden only by resort to Ministers.

On my hon. Friend's question about control and restraint procedures, such procedures have been developed for about three years now by the prison servive and have been extended. As a result of recent changes, more riot control equipment has been made available. I want more prison officers trained in such techniques.

Mr. Ken Eastham (Manchester, Blackley): Is the Home Secretary aware that my hon. Friend the Member for Manchester, Central (Mr. Litherland) and I visited Strangeways prison in January during the Christmas recess? We pay tribute to the staff for coping with all the rebuilding work while trying to run a prison. The right hon. Gentleman's tribute to the valour of the prison staff during the riot meets with great approval from the general public. I hope that in due course the Home Secretary will be able to mark their courage in some way, as we do when members of the police and fire services carry out acts of courage.

Will the Home Secretary apply himself to the issue of media coverage and the occasional sensationalism of the

television and newspapers? Some of us feel that, as a result of such coverage, some of the prisoners were wallowing in the media spotlight. Will the Home Secretary take a fresh look at that in due course?

Mr. Baker: I do not want to be tempted down the road of censorship, because it would be exceptionally difficult to control the media in such a situation—and, where an event is so visual and obvious, it would not be appropriate. On reflection, I believe that the very fact that it was such a dramatic riot and that it was seen in other prisons encouraged some of the disturbances a week later.

I recognise what the hon. Gentleman said about the staff whom he met at Christmas. They will read his comments in *Hansard* when it is published, but I pay tribute to them, too. Prison officers are very proud of their work and the more recognition that is paid to them for it, the better—and that is what the hon. Gentleman has done today.

Mr. Chris Butler (Warrington, South): Will my right hon. Friend bear in mind in his forthcoming White Paper the fact that drug misuse in prisons can make the control of prisons difficult? He might even consider introducing the regular screening of prisoners, as happens in other countries.

Mr. Baker: The Woolf report deals with the management of drug abusers in prison, covering those who are drug-dependent when they enter prison and the way in which they should be handled, and the accusations that have been made about the illicit use of drugs in prisons. I agree with my hon. Friend that the recommendations of the Woolf report on that matter are important. However, it is a question not only of drug abuse, but of alcohol abuse. The therapy that is now available for dealing with both should be made available to prisoners who are dependent on those narcotics.

Mr. Terry Fields (Liverpool, Broadgreen): In his quest for truth and honesty, does the Secretary of State agree that the society that has been created by this Government —of poverty, unemployment, despair and homelessness —contributed greatly to the crime figures in this country?

Mr. Geoffrey Dickens (Littleborough and Saddleworth): That did not cause prisoners to climb on the roof.

Mr. Fields: Is the hon. Gentleman seeking to intervene —*[Interruption.]* I apologise, Mr. Speaker, for the mutterings from Conservative Members.

Does the Home Secretary further agree that overcrowding dehumanises prisoners and demoralises the prison officers? The Home Secretary used to be the Secretary of State for the Environment, so on another point, has he cast his mind to what he will do with the 14 million poll tax non-payers when they are fined? Will he find places for them?

Mr. Speaker: Order. That question is wide of the statement.

Mr. Baker: In replying to a rambling diatribe, I advise the hon. Gentleman simply that, since 1979, this Government have devoted more resources to the prison service than any Government in the history of the British penal system.

Mr. Tony Favell (Stockport): Contrary to what the hon. Member for Liverpool, Broadgreen (Mr. Fields) just said, may I advise my right hon. Friend that my experience as a lawyer is that many people end up in prison because they are neither equipped for nor wish to work? In the present circumstances, my right hon. Friend's proposal that prisoners should train and work while in gaol is a first-class proposal. Does he agree that the devil soon finds a use for idle hands?

Mr. Baker: I agree entirely with my hon. Friend. Prison regimes should be positive. I have already said that the number of educational hours and the hours spent in training and in workshops should be increased so that prisoners can acquire skills that they can use so that they do not resume their life of crime, but can find a positive job when they leave prison.

Mr. David Alton (Liverpool, Mossley Hill): While welcoming Lord Justice Woolf's report, what evidence does the Home Secretary have about health and hygiene and especially about the spread of HIV and hepatitis in prisons? Does he agree that we need an intensive health care programme in prisons? Where immunisation is available, as it is for hepatitis, does he agree that it should be extended immediately to all prisoners who wish it?

Mr. Baker: There is a section in chapter 12 of the Woolf report on the management of HIV, and of AIDS where HIV has developed into AIDS. Certain recommendations are made in paragraph 12.372, to which I draw the hon. Gentleman's attention.

Mr. David Sumberg (Bury, South): May I join the tributes to the prison staff who faced a dangerous situation with great courage? Will my right hon. Friend remind the House that, despite all the problems, not a single prisoner escaped from Strangeways during the riots, which was a matter of some concern to my constituents who live nearby? While on the subject of public safety, will my right hon. Friend redouble his efforts to ensure that prisoners are removed from police cells as quickly as possible? There is public concern in the north-west on that issue.

Mr. Baker: I agree entirely. No one wants to see in prison cells people who are on remand. It is a totally unsatisfactory practice, and we are doing all we can to reduce its incidence. The highest number of remand prisoners was just over 1,100. This morning there were about 650, mainly in the north-west. Some of the pressure will be relieved when the new Strangeways wings come into operation in mid-May.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): As my right hon. Friend knows, my constituency of Littleborough and Saddleworth, on the outskirts of Oldham and Rochdale, is within the Manchester police area. Does my right hon. Friend accept that my constituents never, never want to see a spectacle such as we witnessed for 25 days at Strangeways prison? The mobility of local businesses and residents was disrupted, and parts of Manchester were turned into no-go areas.

My constituents will be pleased with the Woolf report's recommendations concerning the relaxation of conditions in prisons, and most of them will be delighted at the creation of the new criminal offence of prison mutiny, for which the maximum sentence will be 10 years'

[Mr. Geoffrey Dickens]

imprisonment. I understand that every prisoner, on being taken into gaol, will be informed of that offence and that sentence.

Mr. Baker: I am sure that the new offence will be well known throughout the prison system, and we shall make sure that prisoners know about it. I understand entirely the strong revulsion expressed by my hon. Friend on behalf of his constituents at the events that we witnessed last April. As I said in my statement, such events are unacceptable, and we must ensure that they will not occur again.

Mr. William McKelvey (Kilmarnock and Loudoun): I, too, congratulate the Home Secretary on the speed with which he has adopted some of the recommendations of the Woolf report—especially those concerning changes with regard to slopping out. Will the White Paper refer to after-care for prisoners? Is any consideration being given to the granting of some money to the Scottish Association for the Care and Resettlement of Offenders and to the National Association for the Care and Resettlement of Offenders? The Scottish association tells me that, at present, it has a very large ove.draft. After-care for prisoners is extremely important if we are to stop recidivism.

Mr. Baker: I thank the hon. Gentleman for his comments about my statement. I shall certainly consider the point that he has made.

Sir William Shelton (Streatham): Will my right hon. Friend accept my congratulations on his report and on his tribute to prison officers? The officers at Brixton prison, which is in my constituency, certainly merit that tribute. Does my right hon. Friend know that a number of juveniles who are in Brixton on remand—I am thinking especially of those in L wing, perhaps remanded for medical reports—find themselves in the most forbidding circumstances? As my right hon. Friend is aware, such circumstances have resulted in suicides. When will he be able to stop this practice?

Mr. Baker: As I said, I regard the practice as unacceptable. I have issued a Green Paper—a consultation document—on the steps that are needed, and I hope to receive representations shortly. Extra resources will have to be provided for secure lock-up accommodation—accommodation not in prisons—for juveniles. I agree entirely that people under 17 awaiting trial on very serious charges—youngsters who are not released on bail—should not be held in prison.

Mr. Bob Cryer (Bradford, South): Why does it take a riot to produce reforms of this sort with this degree of urgency? The Home Office must have been out of touch for a considerable time not to have produced the programme that the Home Secretary has now announced. That programme is clearly a consequence of the serious riot.

Does the Home Secretary agree that pettifogging bureaucratic limitations are still being imposed on prisoners? For example, a family who had travelled a long way were turned away because they did not have the right visiting card. The attitude adopted was that the family were at fault. That cannot be helpful. Then there is the case of the prisoner who was forbidden to write a letter in braille to a blind relative. If the new regime that the Home Secretary has announced is to mean anything, such frustrations must be eradicated.

Mr. Baker: If the hon. Gentleman will pass me details of the second case to which he referred, I shall have it looked into. It is not the function of prison governors to introduce pettifogging restrictions. I have emphasised today the importance of prison visits.

The hon. Gentleman says that we are merely responding to the riots. In fact, for a number of years the Government have had in hand measures of fundamental prison reform. When we came to office, the date for the ending of slopping out that we inherited was well into the 21st century. We have provided substantial resources for the prison service, including funds for the largest building programme in prison history. I have been able to anounce today the provision of £36 million of extra money—£18 million of new money—and the ending of slopping out in September 1994.

Mr. Andrew Hargreaves (Birmingham, Hall Green): Will my right hon. Friend accept again the congratulations of Conservative Members on these measures, which are extremely welcome? A number of right hon. and hon. Members on both sides of the House have mentioned the problem of overcrowding. As a Birmingham Member, I am particularly anxious about Winson Green. Will my right hon. Friend undertake, in the White Paper, to address this problem once again?

Mr. Baker: I certainly give that undertaking. It is a very important matter. One point that the report brings out concerns the problem of overcrowding in Strangeways in the early part of last year. It was a very overcrowded prison. It is now very unusual, as I go round prisons, to find a cell with three prisoners. Some still have three prisoners, but not many. There are cells with two prisoners. Some prisoners prefer to share, and ask for double accommodation. However, we should provide the possibility for all those wishing to have single cells to have them. That is our objective.

Mr. Dennis Skinner (Bolsover): Why does not the Home Secretary inject a little honesty into his statement? Everybody outside this place knows that he is making these concessions because of the Strangeways riot last year and one or two other goal riots. The truth is that, when the Tory party was elected, there were three prisoners in every cell. Now, there are three on nearly every roof each summer. The Tory party was elected to set the people free, but the prisoners got out.

Mr. Baker: The hon. Gentleman has not often turned his capacious mind to the question of penal reform. If he had—[HON. MEMBERS: "He has been to prison."] Really? That is most interesting.

Mr. Skinner: I was innocent.

Mr. Baker: Innocent? Well, I am sure that the process did the hon. Gentleman a great deal of good. If the hon. Gentleman follows these matters, he will know that we have introduced a series of prison reforms over the past four or five years. If he would like copies of all the documents that have been produced by myself and my predecessors, I shall be happy to send them to him. Then he will be able to recognise the true reforming nature of this Government when it comes to prisons.

Mr. Tim Rathbone (Lewes): Does my right hon. Friend accept that hardly anyone who has visited a prison does not welcome his positive reaction to this report? Even with the placement of long-term prisoners outside local prisons, and even with the improvements being made by the Criminal Justice Bill, there must still be some qualms about the ability to meet the requirements regarding certificated normal accommodation in a prison such as Lewes, where there will still be many remand prisoners because the courts send them there. Can my right hon. Friend assure the House that he will liaise most carefully with the Law Officers, with a view to seeing that the law, as administered by the courts, matches his reforming zeal?

Mr. Baker: I accept entirely what my hon. Friend said. Much depends on the sentencing policy followed by judges and magistrates. The Criminal Justice Bill, which we shall be considering in a few minutes, makes major changes in sentencing policy. The main purpose is to ensure that people who are in prison for serious offences are likely to stay there longer. By the same token, those convicted of less serious charges should not go to gaol at all. That is the whole purpose of the bill, and it will have particular relevance for the populations in local gaols like Lewes.

Ms. Hilary Armstrong (Durham, North-West): Does the right hon. Gentleman recognise that, whenever there is a problem in prisons, one of the first things to disappear is the opportunity to work or to take advantage of education? When I last visited Durham prison, where one still sees dehumanising conditions, virtually no education or work was being undertaken by the male prisoners. However, I was impressed by the new work regime in which female prisoners were involved. They wanted a commitment that that could be extended to other prisons. Can the Home Secretary reassure the House that, in moving to the elimination, by 1994, of the appalling practice of slopping out, the Government will not jeopardise the other aim of enabling prisoners to have a fruitful work regime and other educational opportunities?

Mr. Baker: The practice of slopping out is one of the biggest disruptions to the prison day. It takes half an hour per time, and if prisoners slop out four times a day, it completely destroys the planning of a sensible prison day to include visits to workshops and education facilities. Ending slopping out is important for a whole series of reasons. As to education, I remind the hon. Lady that we have extended considerably the amount of time available for education from some 5 million to nearly 8 million hours a year.

Mr. Barry Sheerman (Huddersfield): Prisoners get only three hours a day.

Mr. Baker: It depends on which prison one goes to. A fortnight ago, I was in a prison that had completely new facilities in the education wing. We are investing heavily in education—*[Interruption.]* The Opposition are in a dilemma. [HON. MEMBERS: "No."] If they are not, I shall make sure that they find themselves in one. We are engaged on a major programme of reform, and we are providing the resources for it.

Mr. Richard Alexander (Newark): I welcome my right hon. Friend's positive response. Did the report say anything about more sentence planning for adults as well as young offenders? Is there not greater scope, in the judicial system, for judges who send people to prison to ensure that the regime to which they send them is appropriate to their needs?

Mr. Baker: I am very sympathetic to the recommendations of Woolf on sentence planning. This already operates in institutions that deal with young offenders up to the age of 21 or 22 and for those who have life sentences. Sentence planning is a sensible idea, because a prisoner can be given a map of what is available to him and what can be offered to him while he is in prison. That is an attractive idea.

Mr. Ian Taylor (Esher): The humane measures that my right hon. Friend has announced will be greatly welcomed the other side of the balance to the toughening up of the parole system that was announced earlier. They are also essentially an extension of the prison building programme that he and his predecessors have undertaken. Will my right hon. Friend ensure that, when reforms are introduced, prisoners are so organised that they will respect them, rather than, as happened in Strangeways, destroying some of the better measures that had been introduced there before the riots? In the category C prison in my constituency, Send, these reforms will be welcomed. Will my right hon. Friend do his utmost to bring forward the White Paper quickly so that we can have the benefits of what is proposed this afternoon as soon as possible?

Mr. Baker: I shall try to do it before the end of the year. I am glad that my hon. Friend presses me in that way. I visited the prison in his constituency, Send, which has a positive regime, set in place by the prison officers and the governors. It is a small but effective prison. I accept my hon. Friend's point about the importance of a positive regime. That lies at the heart of any reform of the penal system.

Mr. Barry Sheerman (Huddersfield): May we be quite clear on one point? The Opposition are congratulating everyone associated with the Woolf report, not the Home Secretary. Is he aware that these proposals are the most comprehensive for penal reform this century? It is not clear from his remarks that he is aware of that. Does he not understand that the report is a clear and damning condemnation of the direction of Government policy over the past 12 years? It is no good throwing money at the prison building programme and introduced privatisation in prisons, when the Government's philosophy on penal policy is so wrong. If the Home Secretary does not realise that, he has not been honest with the House.

Can we push the right hon. Gentleman on this? Is the Home Secretary clearly accepting the philosophy of Woolf? We demand to know that. The more we push the Home Secretary, the more we find no categorical commitment to that philosophy. There have been opportunities—as there were when we debated the Criminal Justice Bill last Wednesday—for the Government to accept measures to reduce the number of people in prison. The Government rejected moves to take fine defaulters and the mentally ill out of prison. Is it not about time that the Home Secretary realised that this is his opportunity to make or break his reputation as a Home Secretary?

Mr. Baker: What the hon. Gentleman said about fine defaulting is wrong. Woolf makes positive recommendations on that. One consequence of the Criminal Justice Bill —the unit fine system, which is the method of collection

[Mr. Baker]

through attachment either of earnings or income support —is that it will ensure that in future there will be much less fine defaulting. The hon. Gentleman should screw up a little generosity, as some of his hon. Friends have, and recognise what we have done. They are kind-hearted people, and I hope that he can be as kind-hearted.

Ravenscraig Steelworks

5.16 pm

Dr. Jeremy Bray (Motherwell, South): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"British Steel's decision, announced last Friday 22 February, to reduce Ravenscraig steelworks to single furnace working."

The matter is specific, in that it relates to the closure of the blast furnace and steel-making capacity, on which undertakings were given by British Steel and announced by the responsible Ministers in both Houses of Parliament at the time of privatisation of British Steel in 1988. Those undertakings, relating to the continued operation of the works and to the offer for sale of the steel-making facilities in the works should British Steel no longer require them, have not been fulfilled, and they must be.

The matter is important because the closure will mean the loss of 1 million tonnes of steel-making capacity, which British Steel cannot do without, given the continuing trade deficit which today's figures have shown extending further. It will reduce Ravenscraig to a level of working from which it will be difficult to recover, greatly increasing the likelihood of an early cessation of steel making in Scotland.

Locally, in my constituency and that of my hon. Friend the Member for Motherwell, North (Dr. Reid), it will bring to almost 3,000 the total of steel job losses this year, with probably over 5,000 further job losses among suppliers, contractors and local businesses. It will be a shattering blow to employment in Lanarkshire and Scotland generally, for which the Government have made no preparations.

Finally, the matter is urgent because the decision has immediate operational implications at the plant for closing down a blast furnace, which will be irreversible.

Mr. Speaker: The hon. Member for Motherwell, South (Dr. Bray) asked leave to move the Adjournment of the House under Standing Order No. 20 for the purpose of discussing a specific and important matter which he thinks should have urgent consideration, namely,

"British Steel's decision, announced last Friday 22 February, to reduce Ravenscraig steelworks to single furnace working".

I listened with concern to what the hon. Gentleman said about this matter and the impact that it will have on his constituents. As he knows, I have to decide whether to give it precedence over the business of the House set down for today or tomorrow. I regret that the matter that he has raised does not meet the criteria of Standing Order No. 20. Therefore, I cannot submit his application to the House.

Tin Mining (Cornwall)

5.18 pm

Mr. Matthew Taylor (Truro): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the withdrawal of Government support for Carnon Consolidated."

The Government are ending their financial support to Cornwall's last tin mines, Wheal Jane and South Crofty, which will mean 415 redundancies and the end of tin mining in Cornwall. The decision of the Secretary of State for Trade and Industry—it is his personal decision—to cut the lifeline to the tin mines is appalling. It comes as a tragic blow to all those concerned about the mines, and in particular to those who will lose their jobs.

The Government had promised a further £4 million loan to the mines, but suddenly broke the commitment unexpectedly late last Friday. As they had invested £23 million in the mines so far, to pull out now just to save £4 million is senseless and, considering the social security benefits and redundancy payments that will flow from this, it is hard to see any logic in it.

Tin is at its lowest price ever, and the position can only improve. As a result of the Secretary of State's decision, the mines will not be given a chance. Wheal Jane will be flooded, which will make it unopenable, and South Crofty will go on a care and maintenance basis, which will leave none of the existing employees with an outlook for secure employment. Those job losses are especially tragic because they are unnecessary and come at a time when job prospects in Cornwall are extremely bad. It is a sad day for those who will be made redundant, and my sympathy goes to them and their families.

The Government have behaved disgracefully and irresponsibly. For more than a year, they have engaged in discussions with the management of the mines about how to keep the mines open. Suddenly and unexpectedly to withdraw support, late on a Friday afternoon when no representations could be made and without notice, can be described only as disgusting. The Government deserve to be held in contempt. They should have to come to the House to explain their action. I would have expected them to make a statement, but as they will not do so, I hope that you, Mr. Speaker, will bring them to the Dispatch Box to justify their decision.

Mr. Speaker: The hon. Member for Truro (Mr. Taylor) asks leave to move the Adjournment of the House under Standing Order No. 20 for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the withdrawal of Government support for Carnon Consolidated."

Again, I regret that I must give the hon. Member the same answer that I gave the hon. Member for Motherwell, South (Dr. Bray). I regret that the matter does not meet the requirements of the Standing Order, so I cannot submit his application to the House. In the light of what he said, I hope that he will have other opportunities to bring the matter before the House.

War Aims

5.21 pm

Mr. Tam Dalyell (Linlithgow): I beg to ask leave to move the Adjournment of the House under Standing Order No. 20 for the purposes of discussing a specific and important matter that should have urgent consideration, namely,

"the clarification of war aims in the Gulf."

This is not a posturing effort. With the best will in the world, a statement in the House is insufficient. If the House is to do its job, it should have a three-hour debate on such a matter.

When my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) asked specifically about war aims on the Secretary of State's statement, she was told that there was no change in the position, that the question had been answered four times and that she had better look at the United Nations resolutions. There is considerable confusion, even on the basis of the answers of the Secretary of State for Defence. I adduce for your consideration, Mr. Speaker, just four succinct points.

First, the United States military commanders are saying that it is essential to go into Iraq. Whatever the merits of such a policy, it is not consistent with the Egyptian or Arab coalition members' interpretation of United Nations resolutions. Secondly, when my hon. Friend the Member for Walsall, North (Mr. Winnick) suggested that Saddam Hussein had to be brought to justice, the Secretary of State for Defence assented. On several occasions, it was stated that all individuals had to be held responsible for their actions. In short, the Commons should debate the issues raised by John and Ann Tusa in their article on war crimes in *The Times*. It opens up Pandora's box.

Thirdly, when the hon. Member for Woolwich (Mr. Cartwright) said that Kuwait had to be liberated, the reply was that Western troops might well be involved in keeping Kuwait liberated. That goes against the professed views of Iran and the whole background of peace and stability being restored to the area. The House would want to know how, especially in terms of the photochemical smog.

Finally, Perez de Cuellar described the Russian peace proposals as a unique opportunity. It looks to some of us as though the Russian peace proposals have been scuppered, as the Peruvian peace proposals were scuppered by the sinking of the Belgrano during the Falklands war. The Secretary of State for Defence said that the Russians had been betrayed in good faith. This is a matter of timing that should be explained. The real nub of the matter is that some of us fear that our country is being sucked into a war near Greater Baghdad.

Mr. Speaker: The hon. Member for Linlithgow (Mr. Dalyell) asks leave to move the Adjournment of the House under Standing Order No. 20 for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the war aims of the coalition in the Gulf."

As the hon. Gentleman knows, under Standing Order No. 20, I have to announce my decision to the House without giving any reasons. I have listened to what he said, but I regret that I cannot submit his application to the House because it does not meet the criteria of the order.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committees on Statutory Instruments, &c.)

REDUNDANCY PAYMENTS

That the draft Redundancy Payments (Local Government) (Modification) (Amendment) Order 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Chapman.]*

EUROPEAN COMMUNITY DOCUMENTS

FOOD ASSISTANCE

Motion made, and Question put forthwith pursuant to Standing Order No. 102(2) (Standing Committees on European Community Documents).

That European Community Document No. 10880/90, relating to the extension of food assistance to the Soviet Union, Romania and Bulgaria, and a credit facility to the Soviet Union, shall not stand referred to European Standing Committee B.—*[Mr. Chapman.]*

TECHNICAL ASSISTANCE

Motion made, and Question put forthwith pursuant to Standing Order No. 102(2) (Standing Committees on European Community Documents).

That European Community Document No. 4120/91, relating to revision of the financial perspective to finance technical assistance for the Soviet Union, shall not stand referred to European Standing Committee B.—*[Mr. Chapman.]*

Orders of the Day

Criminal Justice Bill

Not amended, (in the Committee) and as amended (in the Standing Committee), further considered.

Clause 26

THE PAROLE BOARD

Amendment made: No. 17, in page 19, line 30 at end insert—

'(6A) In subsection (6) above the reference to protecting the public from serious harm from offenders shall be construed, in relation to offenders convicted of violent or sexual offences (within the meaning of Part I of this Act), as a reference to protecting members of the public from death or serious personal injury, whether physical or psychological, occasioned by further such offences committed by such offenders.'. —*[Mrs. Rumbold.]*

Clause 27

DUTY TO RELEASE SHORT-TERM AND LONG-TERM PRISONERS

5.26 pm

The Minister of State, Home Office (Mrs. Angela Rumbold): I beg to move amendment No. 18, in page 19, line 42 leave out 'person' and insert 'short-term or long-term prisoner'.

This is a technical amendment to correct an error in the Bill. It would leave out "person" and insert "short-term or long-term prisoner". As the Bill is drafted, the clause would apply to all prisoners released on licence, which it cannot do. It can apply only to those serving determinate sentences—not to life sentence prisoners who have indeterminate sentences. Therefore, it makes no sense to talk of the three-quarters point for those people. The amendment corrects the anomaly by ensuring that clause 27(3) applies only to short-term and long-term prisoners.

Amendment agreed to.

Clause 39

ALTERATION BY ORDER OF RELEVANT PROPORTIONS OF SENTENCES

Mrs. Rumbold: I beg to move amendment No. 19, in page 25, line 24 after 'provide', insert—

'(a) that the references in section 27(5) above to four years shall be construed as references to such other period as may be specified in the order;

(b)'.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to consider Government amendment No. 20.

Mrs. Rumbold: These amendments give effect to an undertaking which we gave in Committee when we discussed clause 27. We were concerned about the threshold between the automatic and discretionary release scheme which is set at four years in the Bill by way of the definitions of long and short-term sentences. Some of my hon. Friends expressed concern about the four-year period. They were worried that some of the offences

committed by people serving shorter periods might require us to have another look at this clause. In Committee we undertook to consider an amendment which would enable the Home Secretary to take a power to vary the threshold.

That threshold could be varied upwards or downwards in the light of the new scheme, but I do not anticipate that that will be necessary in the foreseeable future. My hon. Friends were right to ensure that we had the advantage of retaining flexibility when drawing up the new arrangements. The amendments will allow an adjustment in the important threshold if Parliament believes that that is necessary, and transitional arrangements could be made were Parliament of that mind.

5.30 pm

Mr. Barry Sheerman (Huddersfield): We are worried about Government amendment No. 19, although we have no quarrel with Government amendment No. 20.

Those of us who served on the Committee will remember that the amendments were a concession to the right of the Conservative party who succeeded in what can only be described as a mini-coup.

Section 27 is the key section in implementing the proposals for parole. One of the most positive features is that parole will be automatic for those serving less than four years, and that the discretionary scheme will apply only to those serving four years and more.

In Committee, we welcomed those parole proposals, although we tabled an amendment to ensure that those subject exactly to four years automatically gained parole. Our amendments were in line with what the Carlisle committee decided after much thought.

The Carlisle committee report is of historic importance, and it was considered immediately prior to our discussions on the Bill. We believe that it is crazy, having established a powerful committee to look at a particular problem, which considered that problem in great detail and with much expertise, for the Government then to muck around with the detail of that committee's recommendations.

The thrust of the Carlisle report will be ruined if we start to tinker with the four-year rule. I hope that the Government will not bend any further. We do not like amendment No. 19, and we should like them to have second thoughts about it. It would be far more sensible to keep to the Carlisle recommendations.

As ever, we are the reasonable Opposition—we oppose the amendments not on ideological grounds, but because the Carlisle committee issued a good report. If one tries to mix and match that report with other things, its overall effect will be spoiled.

The Carlisle committee stated:

"Our conclusion is that a four year sentence provides the most sensible threshold beyond which a selective parole system should operate . . . We have come to the conclusion that the two or three year threshold that many have suggested would be too low . . . First, for a selective scheme to be credible there must be sufficient time for new considerations to emerge . . . The shorter the period between sentence and review the more likely it is that the parole decision will be based on no more material than that available to the judge. Second, if the selection process is to be thorough and fair yet not excessively cumbersome and costly the number of cases must be kept to manageable proportions."

We do not want to delay proceedings on this, and we shall not seek to divide the House, but we are unhappy that the amendments could give the Government the ability to tinker with the recommendations of an extremely good report.

Mr. John Greenway (Ryedale): I am grateful to my right hon. Friend the Minister of State for tabling the amendments. I am not entirely sure that the hon. Member for Huddersfield (Mr. Sheerman) got his facts right when he described me as on the right of the party.

I do not agree with what the hon. Member for Huddersfield said about has interpretations of the Carlisle recommendations. I support the amendments because the Bill is introducing something that is entirely new—an automatic, conditional release system. We hope that the courts will use that system in line with a greater certainty on sentencing. We do not know whether four years is the right cut-off point; only experience will show what works in practice.

It would be a mistake not to allow my right hon. Friend the Home Secretary to vary the four-year rule either upwards or downwards. I would have great doubts about him varying that rule upwards, although there may be a case for varying it downwards. It would be a mistake to enact the Bill without that power to vary. On the basis of that consideration, I welcome the amendments, which I hope the House will support.

Mrs. Rumbold: It is clear that the Government regard the Carlisle recommendation of the four-year threshold as the right one. None the less, my hon. Friend the Member for Ryedale (Mr. Greenway), supported in particular by my hon. Friend the Member for Thurrock (Mr. Janman) cited some significant figures that made the Government think that it would be right to include an order-making power that could be brought into play in the light of experience in those circumstances where we felt it would be better to have a threshold that was either higher or lower than the four years. For that reason, the Government tabled the amendments.

Amendment agreed to.

Amendment made: No. 20, in page 25, line 26, leave out 'specified in the order' and insert

'so specified.

(1A) An order under this section may make such transitional provisions as appear to the Secretary of State necessary or expedient in connection with any provision made by the order.'.—*[Mr. John Patten.]*

Clause 43

NOTICES OF TRANSFER IN CERTAIN CASES INVOLVING CHILDREN

The Minister of State, Home Office (Mr. John Patten): I beg to move amendment No. 108, in page 27, line 7, after 'alleged', insert '(i)'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 109, 113 and 112.

Mr. Patten: The amendments are a direct result of some good debates in Committee on this important issue. They are concerned with trying to help child witnesses in criminal proceedings in two ways—first, through the ability to bypass committal proceedings as set out in clause 43 and, secondly, by placing a bar on personal cross-examination of witnesses by the accused.

I remember that my hon. Friend the Member for Hayes and Harlington (Mr. Dicks) argued about this specific issue in Committee, although much of the argument was carried by those who are absent this afternoon, including the hon. Member for Ynys Môn (Mr. Jones)—I believe in

[Mr. Patten]

being kind to Welsh nationalists—my hon. Friend the Member for Congleton (Mrs. Winterton), who is about her business in another part of the country, and that leading member of the Trappist tendency, the hon. Member for Newcastle-under-Lyme (Mrs. Golding). That hon. Lady pressed the argument effectively, and I pay tribute to all that she did.

I hope that I can commend the amendments with that brief explanation. They will do a great deal to help child witnesses in terms of bypassing committal and avoiding cross-examination by the accused.

Dr. Norman A. Godman (Greenock and Port Glasgow): I hesitate to intervene in these proceedings as a Member representing Scotland, but I have a couple of questions about the amendments.

Has the Minister had any discussions with his right hon. and hon. Friends in the Scottish Office on the implementation of such measures in Scotland? I speak as someone who has sought to change the law of Scotland on child witnesses. I did so last year during our deliberations on the Law Reform (Miscellaneous Provisions) (Scotland) Bill. Unfortunately, I was unsuccessful. The amendments will determine the status of children and the protection given to them in what can be the most harrowing of circumstances. It is unfortunate that English legislation is well in advance of developments in Scottish legislation. On behalf of the Scottish children caught up in these dreadful circumstances, I must express my deep regret about that.

Two cases pending in Scotland involve the most harrowing instances of sexual abuse against a number of young children, some of whom were only two or three years old when the horrible incidents took place. Nevertheless, children in Scotland caught up in these dismal circumstances will be denied the protection rightly afforded to English children in these most welcome measures. It is a disgrace that identical legislation for Scotland has not been introduced. What discussions have taken place between the Home Office and the Scottish Office on bringing about these welcome changes in Scottish legislation?

Mr. Roger Sims (Chislehurst): My right hon. Friend will know of my long-standing interest in this matter, and particularly of my association with the National Society for the Prevention of Cruelty to Children, which has been concerned about the way in which children have been subjected to the process of appearing in court proceedings. I warmly welcome the clauses in the Bill which, to a large extent, implement the recommendations of the Pigot report. There was a gap in the law with respect to expediting proceedings involving witnesses.

I thank my right hon. Friend for the courtesy with which he received me and my hon. Friend the Member for Congleton (Mrs. Winterton), who advised me today that she was unwell and could not be with us. Together with the hon. Member for Newcastle-under-Lyme (Mrs. Golding), we discussed these matters, and the Government amendments meet our anxieties.

The Minister will have noticed amendments Nos. 98 and 99 on the Order Paper; perhaps he will confirm that the Government amendments deal with the points contained in those amendments—and are no doubt better drafted than ours. If they do, I shall not move amendments Nos. 98 or 99; of course, if the Opposition Members whose names those amendments also bear wish to speak to them, that will be up to them.

I am grateful to my right hon. Friend for accepting the recommendations made to him on this matter.

Mr. Robert Maclennan (Caithness and Sutherland): Will the Minister say a word about some other matters touched on in the Pigot report? For instance, should there not be a code of practice governing the giving of evidence by children? Do the Government believe it possible to introduce measures to prevent unnecessary delays in court cases that involve this sort of children's evidence?

Mr. John Patten: Is the hon. Gentleman referring to the generality of the Pigot committee's recommendations when he speaks of codes of practice, or is he referring specifically to speeding up court hearings?

Mr. Maclennan: I am referring only to the giving of evidence by children.

Lastly, the National Society for the Prevention of Cruelty to Children has also mentioned the need to ensure that no distinction will be made between children who have suffered abuse and children who have witnessed serious abuse and violence—but I suspect that the Government amendments take care of that.

5.45 pm

Mr. John Greenway: I too should like to record my thanks to my right hon. Friend for tabling these amendments. I am sure that he will recall that, when we discussed the matter for many hours in Committee, we did not manage to persuade him of the validity of our arguments, but he agreed to reconsider the matter, and that is what he has done. We are most grateful to him. I fervently believe that the law should protect a child witness as much as it protects a child victim. Indeed, it is often difficult to distinguish between them.

Mr. Sheerman: We welcome the amendments. It is a shame that two of the hon. Members who argued most eloquently for the ideas that they incorporate are not here. I understand that they are unavoidably detained in Select Committees. I refer of course to my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) and to the hon. Member for Ynys Môn (Mr. Jones).

These are important concessions to the Pigot proposals, extending as they do the protection offered to child victims to child witnesses. This subject constituted the most harmonious part of our proceedings in Committee. All hon. Members in Committee wanted as far as possible to make the process of giving evidence in court humane and sensitively handled. The Opposition are pleased that the amendments have been introduced.

Mr. John Patten: First, I want to answer the hon. Member for Greenock and Port Glasgow (Dr. Godman), the first part of whose constituency I can never pronounce. He asked me whether discussions had taken place between the Home Secretary and the Secretary of State for Scotland on these important matters. Of course the two Departments consult on these issues. As the hon. Gentleman knows, the Scottish criminal law and criminal code have developed differently from ours, which means that, from time to time, Scottish, English and Welsh law look a little out of kilter. Indeed, my hon. Friends occasionally look with envy at some aspects of the Scottish

criminal code. For instance, children's panels are often urged on us; we are thought to be lagging behind in that respect, although we are now trying to achieve the same ends in a different way.

I shall draw the hon. Gentleman's remarks to the attention of the Secretary of State for Scotland, and, if necessary, he and the hon. Gentleman can correspond thereafter.

I reassure my hon. Friend the Member for Chislehurst (Mr. Sims) that the Government amendments adequately cover the possibility of getting around committal, and of not making it possible for children to be cross-examined by those alleged to have assaulted them. I pay tribute to my hon. Friends the Members for Chislehurst and for Congleton (Mrs. Winterton), and to the hon. Member for Wentworth (Mr. Hardy), who is not here today but who takes a considerable interest in the subject.

I also pay tribute to the hon. Member for Newcastle-under-Lyme (Mrs. Golding), who was not here earlier to hear my lavish compliments about how she broke the Trappist vows of the Whips and occasionally went to the Back Benches in Committee to argue the case for children. Her arguments, and those of my hon. Friend the Member for Ryedale (Mr. Greenway), were powerful. As the House knows, we are a listening Government; we listened and then we tabled the amendments.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) asked whether we were going to introduce a code of practice governing children's evidence. We are. We are already negotiating, if that is the right word to use, these issues with members of the academic community: for instance, with Professor Bull, a notable authority in the area; and with Mr. John Spencer—just to show how broad-minded I am in these matters—fellow of Selwyn college, Cambridge, even though he has occasionally criticised me in print. He is also an expert, and I have not taken offence. We are bent on employing him, if he is willing to advise us within the strict terms of the Bill, on how to incorporate a practical measure for children's evidence.

I repeat: we are a listening Government and a broad-minded Government, and on this occasion we are a Government with whom the hon. Member for Huddersfield (Mr. Sheerman) was happy to do business on an issue in which party politics played no part. I am happy to pay tribute to him and his colleagues for the part that they played in Committee in dealing with these important matters.

Amendment agreed to.

Amendment made: No. 109, in page 27, line 8, after 'committed', insert

'; or

(ii) to have witnessed the commission of the offence,'.—*[Mr. John Patten.]*

Mr. John Patten: I beg to move amendment No. 110, in page 27, line 9, leave out from 'that' to 'by' and insert

', for the purposes of avoiding any prejudice to the welfare of the child, the case should be taken over and proceeded with without delay'.

Madam Deputy Speaker: With this we may take Government amendments Nos. 111 and 120.

Mr. Patten: The amendments form the second part of the Government's response to the debate in Committee about the need to reduce undue delay in cases involving child witnesses. During our scrutiny of the Pigot clauses, the hon. Member for Ynys Môn (Mr. Jones) moved a new clause that formed the basis of much of the debate. Despite my considerable sympathy with his intentions and those of my hon. Friends, I was unable to accept the new clause exactly as it stood, because it imposed a strict timetable in criminal cases which I felt could lead to the guilty walking free if it was not adhered to to the letter. The amendments would not impose a strict timetable, but would, I believe, establish a clear framework for the elimination of unnecessary delays.

Clause 43 already gives the Director of Public Prosecutions power to bypass committal proceedings if he is satisfied that the case should be taken over by the Crown court without delay. Amendments Nos. 110 and 120, however, strengthen that principle by referring explicitly to the welfare of the child, and I think that a number of hon. Members will approve of that. They also impose a clear duty on magistrates courts and the Crown court to consider how best to avoid delay. For the magistrates courts, that means expediting their residual tasks under schedule 5.

The amendments effectively abolish the argument that is sometimes advanced by those involved in the criminal justice system, that they are not responsible for the delay. They are now responsible for minimising it: the amendments bring that into sharp focus. The amendment will, however, allow judges, who have the often difficult task of dealing with children—whether they are victims or witnesses—to tailor any action to the needs of individual cases, balancing the legitimate interests of child welfare with those of natural justice.

The remaining amendment simply corrects a minor drafting error.

Mr. Sheerman: Yet again, we accept and endorse the Government's proposals. As we said in Committee, delay is often an important factor. In Committee on any Criminal Justice Bill, we increasingly realise the need for better co-ordination between the separate parts of the system: Opposition Members want to reform that relationship, and to expedite the processes involved. Justice that takes a long time is justice delayed, and, sometimes, is not justice at all.

Amendment agreed to.

Amendments made: No. 111, in page 27, line 18, leave out '3 and 4' and insert '2 and 3'.—*(Mr. John Patten).*

Clause 45

VIDEO RECORDINGS OF TESTIMONY FROM CHILD WITNESSES.

Amendments made: No. 113, in page 30, line 37, after 'alleged', insert '(i)'.

No. 112, in page 30, line 38, after 'committed', insert

'; or

(ii) to have witnessed the commission of the offence;'.—*(Mr. John Patten.)*

Clause 47

RESPONSIBILITY OF PARENT OR GUARDIAN FOR FINANCIAL PENALTIES

Mr. Alun Michael (Cardiff, South and Penarth): I beg to move amendment No. 82, in page 31, line 38, at end insert—

[Mr. Alun Michael]

'(1A) After subsection (2) of that section there shall be inserted the following subsection.

'(2A) In taking the decisions required by subsections (1) and (1A) above, the court shall have regard to such of the following considerations as appear to it to be relevant, that is to say—

(a) whether the parents have neglected to exercise due care and control of the child or young person and whether any such neglect has caused or contributed to the commission of the offence.

(b) whether it is desirable that the child or young person himself should assume responsibility for payment of the sum.

(c) the relationship of the child or young person with his parents and the likely effect on that relationship of ordering the sum to be paid by the parent or guardian.

(d) the respective means of the child or young person and the parent or guardian.

as well as to any others which appear to be relevant.'.'.

Madam Deputy Speaker: With this we may take amendment No. 83, in page 32, line 31, at end add—

'(5) No court shall exercise its powers under this section in regard to local authorities, except in those cases where the local authority has been negligent in the conduct of its duties as defined in paragraph 2 of this section or has acted unreasonably, given the circumstances of the case.'.

Mr. Michael: The Minister must answer a simple and basic question: does he, and do the Government, accept that it is wrong to punish the innocent? If he accepts our amendment, he will ensure that no parent who is innocent of any blame, and no social services department that has done its job properly, will be punished or penalised.

Amendment No. 82 proposes that, in deciding whether a parent should be required to pay a fine, the court should have regard to a number of considerations that may be relevant. The first is:

"whether the parents have neglected to exercise due care and control of the child or young person and whether any such neglect has caused or contributed to the commission of the offence."

The second is:

"whether it is desirable that the child or young person himself should assume responsibility for payment of the sum."

The third is:

"the relationship of the child or young person with his parents and the likely effect on that relationship of ordering the sum to be paid by the parent or guardian."

The fourth is:

"the respective means of the child or young person and the parent or guardian".

Any other relevant circumstances should also be taken into account.

That, surely, is an entirely correct and reasonable approach, which has been supported by the Government themselves in Home Office circular to courts No. 3/1983 entitled "Criminal Justice Act 1982: Sanctions Against Parents and Guardians". The 1982 Act stipulated that fines should be paid by parents unless the court considered that that would be unreasonable or the parent could not be found. Paragraph 3 of the circular states:

"During the passage of the Bill, considerations which might be relevant to the question of whether it would be unreasonable to order payment by the parent or guardian were discussed. It was suggested, for example, that regard should be had to factors such as whether the parents had neglected to exercise due care and control of the child or young person or whether any such neglect had caused or contributed, whether directly or indirectly, to the commission of the offence; whether it was desirable that the child or young person himself should assume responsibility for the payment of the fine, compensation or costs, or for part of it; the relationship between the child or young person and the parent or guardian and the likely effect on that relationship of ordering that the parent . . . pay the sums".

The Government should surely support the principles contained in the amendment.

In view of the emphasis that the Government have placed on parental responsibilities, it is important for them to state on the face of the Bill that they are willing to protect responsible parents. If they agree that the court should consider the criteria that I have specified, the criteria must be included in the legislation, rather than relegated to a paragraph in a long-forgotten circular of some eight years ago.

In come cases it will be appropriate to oblige parents to pay fines imposed on juvenile offenders, but in many others such a course might be both unreasonable and harmful. In some cases, when a young offender is at odds with his parents, the resentment resulting from the imposition of a fine on the parents—who may already be at the end of their tether, especially when the family is poor —could damage family relationships still further, placing the young person more at risk than ever, and perhaps leading to the commission of further offences.

In some instances, magistrates may consider that, if the fine is to have any value, that will lie in its being paid by the child himself rather than in his parents relieving him of the financial responsibility. I know from my own court experience that that frequently arises. In other cases, the parent may have done all that could reasonably be expected to discipline and control the young person, but without success. All parents will have found occasionally that their best efforts have not succeeded. The Minister may claim to be a perfect parent, but most of us would probably admit to being fallible from time to time.

It is important that the courts should be required to consider those potential pitfalls when deciding whether to impose a fine on the parent of a juvenile offender. The amendment does not, of course, prevent the court from considering any other factors which may be relevant. It does not prevent the court from placing an obligation on a parent if it is right and proper to do so. It does not mitigate parental responsibility, but it protects the innocent parent and ensures that courts take into account circumstances in which placing a burden on parents would be detrimental. The Minister will surely not disagree with that.

When the issue was debated in Committee on 24 January, amendment No. 82 was grouped with others and the Minister did not comment specifically on it. Today, he must comment specifically on its merits, and I hope that he will simply accept it.

6 pm

Amendment No. 83 says:

"No court shall exercise its powers under this section in regard to local authorities, except in those cases where the local authority has been negligent in the conduct of its duties as defined in paragraph 2 of this section or has acted unreasonably, given the circumstances of the case."

The amendment limits the circumstances in which a local authority can be required to pay a fine. The clause is far too broad, because it is unreasonable to expect local authorities to pay fines for the offences of juveniles if they and their employees have acted appropriately and professionally. Home Office circular No. 3/1983 is relevant, and the same considerations should apply to local authorities.

The Government recognised that in their White Paper, "Crime, Justice and Protecting the Public", which states that the Government will require local authorities to pay financial penalties when juveniles in their care are convicted of offences and

"the court is satisfied that the offence followed a failure by the local authority to carry out its duties."

The amendment requires that that statement be included in the Bill, which places no clear statutory obligation on courts to consider whether the local authority has been negligent or unreasonable and to impose a fine only if an authority has been shown to be at fault.

The assumption in clause 47—an assumption that seems to be in the minds of some of the Government's more right-wing Back Benchers—is that local authorities should always be able to prevent offending by juveniles in their care. That shows little awareness of the reality of caring for those young people, many of whom are persistent young offenders who were taken into care because of their parents' inability to exercise due care and control. The damage caused to those young people may work through to absconding and associated offending. The local authority, which was not responsible for the offending, is left to pick up the pieces.

The Government seem to have turned the cause and effect relationship upside down, and instead of recognising that those young people are in care because of their offending are blaming the local authority for it. I hope that the Minister will put that right.

There are dangers if fining local authorities becomes the norm. It could lead to local authorities reducing home leave and family contact with children in care and it could be detrimental to the young person. There may be increased security in children's homes, at the expense of caring and rehabilitative regimes. I hope that the Minister will agree that a failure to rehabilitate young offenders will increase the long-term threat to the public, and that it must be avoided.

Young offenders may find it amusing and gratifying to see their social worker fined for their behaviour. They may be encouraged to feel that they can break the law with impunity.

Mr. John Patten: The Bill does not say that individual social workers will be fined. The local authority will be at risk for not fulfilling its responsibilities.

Mr. Michael: The local authority would not be fined for not fulfilling its responsibilities—that is the whole point of my argument—but the amendment seeks to correct that. If the Minister meant what he just said, he will accept the amendment. The amendment aims to provide for what he just suggested; by accepting it, he will make life a lot easier.

Young offenders may find it amusing and gratifying to see their social worker fined for their behaviour. If local authorities are punished, that pressure will be passed down the line. I am sure that the Minister understands what I mean by that. Having worked with young offenders, I can assure him that such amusement is a real danger. It is important that the Bill be amended to provide what the Minister has just suggested. I hope, therefore, that he will accept the amendment.

Mr. Patten: I did not want to intervene, because the hon. Gentleman speaks from much personal experience, but for once, uncharacteristically, he seemed to be factually incorrect. He said that individual social workers would be at risk financially; it is important that he should not continue to say that.

Mr. Michael: I take the Minister's point, but he surely understands that, if local authorities, whatever they do and however professional their social workers or correct their systems, are in danger of being forced to pay fines, immense pressure will distort the regime in which social workers work with young people. Young people will rapidly become aware of that and of their ability to play games with their social workers.

The Minister must take that danger seriously. In his first intervention, he suggested that, under the Bill, social services departments would be placed under a burden only if they failed in their duty. We tabled the amendment to correct that. I hope that the Minister, by his intervention, was accepting the amendment. A local authority should be responsible for financial penalties only in specified circumstances when it has acted negligently or unreasonably. That was what the Minister said, that is what I say and that is the purpose of the amendment.

In Committee, the Minister said that there was some protection to local authorities under section 55 of the Children and Young Persons Act 1933. However, that section is merely on whether it would be unreasonable to fine in the circumstances. Amendment No. 83 goes much further and defines the conduct or misconduct of the local authority as the factor that leads to a fine being imposed.

The amendments are reasonable and fair. They will ensure that innocent parents and effective local authorities will not be in danger of being forced to pay, while allowing a culpable parent or local authority to bear the burden of a fine. How can the Minister possibly refuse that? He almost seemed to concede my point in his intervention, but he must at least assure us that the principles that I have set out will be observed absolutely in the operation of the Bill when it is enacted.

Mr. Terry Dicks (Hayes and Harlington): The points made by the hon. Member for Cardiff, South and Penarth (Mr. Michael) link with the Home Secretary's statement on the Woolf report. Everyone is talking about parent responsibility, but allowing parents to avoid it. In the statement, all we heard was about the poor life of prisoners. So far as I can remember, no one deigned to mention how victims suffer or to make the obvious point that people are in prison by choice—they choose to go there when they break the law, and we should not be too concerned.

We should take great care about making parents responsible for their children's actions, but the hon. Member for Cardiff, South and Penarth seemed to be looking for a way out. If some of the hoax telephone calls of the past week were made by children under the age of 17 or 18, and if their parents knew that their kids had access to the telephone, is the hon. Gentleman really saying that we should not worry? If a child had been involved in making those hoax phone calls, a three-month sentence for him or his parents would not be justified—the minimum sentence should be five years, with deportation for any foreigners.

The essence of the point being made by the hon. Member for Cardiff, South and Penarth is that we must look for ways to enable parents to avoid their responsibilities. Would he say that they were not paying

[Mr. Terry Dicks]

due care and attention if they were watching television while their 12 or 14-year-old was thumping a policeman at a football match? Should we say, "Those parents did not know that their child was at a football match, so we should not worry"? I am glad that we are making parents responsible. Instead of creating loopholes to enable parents to get off, we should tighten them to ensure that they do not.

Mr. Robert Maclennan (Caithness and Sutherland): I welcome the clause and support the amendments. I have never been entirely happy with the principle of vicarious criminal liability, which seems to have been embodied in the law for a long time. It does not lead to a need for a court to investigate the degree of parents' criminal liability. The hon. Member for Hayes and Harlington (Mr. Dicks) assumed that parental liability was involved in all circumstances in which a person committed an offence. That should be demonstrated, argued and proved before a court. One of the benefits of amendment No. 82 is that it would make it necessary to argue before a court the extent to which parents should be liable for the misdeeds of their children.

It is clear from the passage read out by the hon. Member for Cardiff, South and Penarth (Mr. Michael) that the Home Office has in mind precisely those considerations which are encapsulated in the amendment. Including them in the Bill would have the virtue of leading to the facts being considered. It may be that that consideration is given, and will be given, in many courts through the presentation of social work reports and so on. If there is a specific requirement along the lines proposed in amendment No. 82, a court will be in no doubt about whether parents are culpable to such an extent that they should be held liable to pay.

Similar considerations apply to amendment No. 83 with regard to the alleged negligence of local authorities. If local authorities are held to be liable, that involvement should be tested. They should not be held to have been negligent without the evidence having been considered by a court. The hon. Member for Hayes and Harlington assumes that, if the children involved are in care, the local authority is responsible for their misdeeds, but that assumption severes the connection between the offence and the person who committed it. That cannot be in the interest of justice. I hope that the Government will accept these sensible amendments.

Mr. John Patten: I was greatly taken by what my hon. Friend the Member for Hayes and Harlington (Mr. Dicks) said about hoax telephone calls by juveniles and adults. The House views with revulsion and distaste the hoax telephone calls to the emergency services in recent days, which in certain circumstances could lead to serious injury or loss of life if the emergency services had been diverted. This is a disgraceful habit in the country at large. It is punishable by imprisonment.

My hon. Friend said that the penalties were not severe enough. He must take credit for bringing to our attention the need to consider this issue. Although I shall not table amendments to the Bill, I shall undertake a review in the Home Office of the penalties that can be imposed on those demented people who make hoax telephone calls about devices, causing chaos not only to the emergency services but to the travelling public. Under the present law, the courts are stamping down hard on that behaviour, and I hope that the House welcomes that action. Perhaps we should arm the courts with tougher measures to deal with such people.

6.15 pm

My hon. Friend the Member for Hayes and Harlington made another important point when he talked about the importance of parental responsibility. I believe that my Conservative colleagues would respectfully agree to disagree with the hon. Member for Caithness and Sutherland (Mr. Maclennan) about vicarious penalties. We are talking about those who have charge of children and young people. Whether they are parents, step-parents, grandparents or local authorities, they should bear their share of the responsibility by paying fines if the children involved cannot do so.

Alas, there is no clearer sign of the division between Conservative Members and the Opposition than the long debates in Committee on these issues. We had to agree to differ. It is a pity that the hon. Member for Caithness and Sutherland could not be a member of the Committee. We genuinely missed him, although we have heard on Report some "footsteps" of what might have been a lengthier speech in Committee. We shall have to agree to differ, because the amendments dilute the principle of parental responsibility on which the Government place great weight.

Mr. Maclennan: Anyone listening to the right hon. Gentleman or reading his speech later may be forgiven for overlooking the fact that he and the Government have diluted the principle of parental responsibility by changing the 1933 Act. It is a question not whether one dilutes the principle but whether one should define the circumstances of the dilution, which is the purpose of the amendment.

Mr. Patten: The hon. Gentleman has forgotten three fundamental limbs of the Bill: first, that we expect parents to be in court when their children are tried; secondly, that we expect parents, guardians and social services departments to pay the fines; and, thirdly, that we want the courts to have a considerably enhanced power to bind over parents to use their best endeavours to prevent children offending. If that is dilution, I am surprised at the hon. Gentleman's uncharacteristic misuse of language.

In all cases, before a parent could be ordered to pay a fine, the court would have to think about several factors, such as whether the offence resulted partly from a failure to exercise parental care and control and what effect making the parents pay would have on family relationships. The court would have to take a view on those factors and presumably—although it is not for me to say—that view could be challenged on appeal. That means that obstacles would be placed in the way of the operation of section 55 of the 1933 Act, and the clear principle that it embodies.

When we discussed what is now amendment No. 82—to which allegedly the relevant Minister did not refer in Committee—either the hon. Member for Cardiff, South and Penarth (Mr. Michael) or the hon. Member for Huddersfield (Mr. Sheerman) quoted from paragraph 3 of Home Office circular No. 3/1983 on the Criminal Justice Act 1982. As the hon. Member for Cardiff, South and Penarth pointed out, paragraph 3 suggested that the courts

might want to take account of certain factors—which have been reproduced in amendment No. 82—in deciding whether to make the parent or guardian pay a fine.

There is a world of difference between giving guidance to courts in various ways about those matters that they should consider—which we do all the time as a matter of sentencing practice—and requiring them by statute to take account of those and other considerations in every case. That would result in an inflexible approach and would considerably slow down justice.

I turn now to amendment No. 83. The purpose of clause 47(2) is to bring local authorities within the scope of the law on the parental payment of children's fines in section 55 of the 1933 Act. Local authorities that are prepared to take children into care should face up to, and meet, the same responsibilities as parents. Many do so, but, alas, a few do not. My hon. Friend the Member for Hayes and Harlington thinks that a good number do not.

We should be clear that clause 47 will apply to local authorities only under certain restricted circumstances. The Government firmly believe that those with parental responsibility must expect to face the consequences. The hon. Member for Cardiff, South and Penarth quoted from that excellently written White Paper, "Crime, Justice and Protecting the Public". He was right to state that we propose that the parental payment provision should apply to local authorities only where

"the court is satisfied that the offence followed a failure by the local authority to carry out its duties."

That is broadly the purpose of the Opposition amendment.

However, on reflection, it is not right to take that approach. It would give the courts an impossible task to perform before they could require a local authority to pay a fine. The courts would have to conduct a trial within a trial to determine whether the local authority had been negligent. That would turn into a mini-public inquiry into the procedures of the social services department in question. Youth courts are not equipped to do that, nor should they be asked to do it.

We believe that it would be better to give local authority social services departments, which try hard in many areas to do a good job, the protection already afforded by section 55 of the Children and Young Persons Act 1933. Section 55 provides an exception to the parental payment requirement where

"It would be unreasonable to make an order for payment, having regard to the circumstances of the case."

That means that, where local authorities had properly carried out their responsibilities, courts would not be required to make an order against them. On the other hand, where local authorities had failed in their duties, the courts would be empowered to make a direction.

The approach followed in the Opposition amendment is unnecessary and counter-productive. Clearly there is a yawning gap between the Opposition and the Government, and I do not believe that we will be able to cross that gap easily.

Mr. Maclennan *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. The hon. Gentleman has already spoken. He would require the leave of the House before he could speak again.

Mr. Michael: I agree with the Minister and the hon. Member for Hayes and Harlington in their characterisation of hoax telephone calls, especially where those calls receive the oxygen of publicity. Those calls can be tremendously damaging to society, but they have nothing to do with the amendment.

The amendment is simple. Do the Government accept that it is wrong to punish the innocent? In a schizophrenic speech, the Minister made it clear that he does not care if the innocent are punished. In a characteristic speech, the hon. Member for Hayes and Harlington showed, as he showed in Standing Committee, that he has extreme views. He is not interested in the effectiveness of the sentence in reducing crime in the future and in protecting the public. He is interested only in fanning the flames of his own prejudice.

Under amendment No. 82, a parent who is negligent or is somehow to blame can be made to bear part, or all, of the burden of the fine. For half his comments, the Minister appeared to agree with Home Office circular No. 3/1983, which sets out the reasonable principles upon which the courts should operate. If the amendment were accepted, it would provide clear guidance to the courts. It would not constrain them. The amendment does not suggest that parents who share responsibility or the social services departments, which through failure, share responsibility, should not share the burden of payment.

The amendment is extremely fair, reasonable and simple.

Mr. Maclennan: Does the hon. Gentleman agree that the Minister is creating a considerable smokescreen? He is trying to give some of his more atavistic Back Benchers the impression that he toughening up, but he has really imposed a power in place of a duty in respect of those aged over 16, and in that respect he has misled the House.

Mr. Michael: That is absolutely correct. The Minister either agrees with circular No. 3/1983, in which case he can accept the amendment without difficulty, or he agrees with his hon. Friend the Member for Hayes and Harlington, and if he goes to that extreme, he will destroy any reputation for reasonableness and liberality that he worked so hard to gain in Standing Committee.

At the end of the day, the Minister does not care whether the innocent parent or local authority is punished. By failing to restate with great authority the recommendations in circular No. 3/1983, he has introduced an element of doubt.

I am certain that we will return to the amendment, perhaps with greater understanding and knowledge, in another place, and to allow that to happen, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 48

BINDING OVER OF PARENT OR GUARDIAN

Mr. John Patten: I beg to move amendment No. 114, in page 32, line 32, leave out from 'Where' to end of line 36, and insert

'a child or young person ("the relevant minor")'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 115.

Mr. Patten: The Government believe very strongly that parents have the single most important responsibility for ensuring that their children grow up to respect the law. Just before Christmas, the Home Office conducted a public

[Mr. Patten]

opinion survey through the Office of Population Censuses and Surveys. I could have been knocked down by a feather by the results, which showed, that with regard to preventing crime, the general public point the finger not at the Government, the police or schools, but at parents. The survey showed that 53 per cent. pointed the finger at parents. If we had conducted such a survey five or 10 years ago, there would have been a completely different response. There is a considerable sea change in the country. The Government have recognised it, and we are doing all we can to use that considerable change in public opinion away from the dated and outmoded concepts of the 1960s and 1970s.

Mr. Dicks: Does my right hon. Friend agree that, if the amendment does nothing else, it concentrates the minds of parents about their responsibilities and about where their kids are while they sit around with their feet up watching television?

Mr. Patten: My hon. Friend is right. Nothing brings that home to me more sharply than the police telling me that, in 1988, 8,000 events happened that would otherwise have been crimes committed by children aged nine and under, who were therefore below the age of criminal responsibility. Some of those events were quite serious. My hon. Friend the Member for Hayes and Harlington has it game, set and match on the basis of that statistic.

The responsibility of parenthood begins when children are very young and it continues until they are on the edge of maturity and of becoming responsible adults. That parental responsibility for children's behaviour does not cease when children get into trouble—quite the reverse. It is precisely because their children have got into trouble that parents should become involved. It is then that the firm hand or the quiet word can make all the difference.

Clause 48 ensures that parents are involved at what is inevitably a very difficult time for their children. For those under 16, we believe that it is correct that courts should have a duty to ensure that parents are involved, by binding them over. Many 16 and 17-year-olds will also need a firm hand and guidance if they are to succeed in keeping out of trouble. However, many will be living independent lives, and it would not be right to suggest that parents should take responsibility for their behaviour.

Clause 48 states that there is no cut-off point between being a child and being an adult. Some people mature at different rates between the ages of 16 and 17. There are tough, yobbish, thuggish 15-year-olds and wimpish 16 and 17-year-olds who deserve to be treated like children.

The proposal in clause 48 complements the other proposals relating to 16 and 17-year-olds. Amendments Nos. 114 and 115 strengthen those provisions further by removing inconsistencies in drafting which, I should be the first to state, were identified by the hon. Members for Huddersfield, (Mr. Sheerman) and for Denton and Reddish (Mr. Bennett). I seem to be paying compliments to Opposition Members who are absent this afternoon.

In Committee, the hon. Members for Huddersfield and for Denton and Reddish mentioned several important matters which should be reconsidered. The hon. Member for Huddersfield argued that the distinction that clause 48(1)(b) makes between 16 and 17-year-olds living at home who are in full-time education and 16 and 17-year-olds who are not, is artificial. A 16-year-old who is living at home but is not in full-time education may be equally or more in need of parental guidance than a 16-year-old living at home and in full-time education. Although the subsection was simply intended to take account of the practical limitations of parental influence over young people who live at home, I accept that the link with full-time education is, perhaps, artificial. I should not want to include in the Bill provisions that inadvertently encourage young people to leave school, home, or both at the same time.

6.30 pm

I also share the concern expressed by the now absent hon. Member for Denton and Reddish, who explained how linking the power to bind over a parent to the age and circumstances of the offender might allow a devious-minded 16-year-old to get around the provision by delaying conviction proceedings. That is why the Government have decided to table amendments Nos. 114 and 115, which would achieve the desirable end of empowering the court to bind over the parents of any 16 or 17-year-olds, when they consider such action helpful and sensible. The court would remain under a duty to do that where the child was under 16.

The amendments deal with two of the fears expressed by the hon. Members for Huddersfield and for Denton and Reddish, and will further improve the provisions regarding the sentencing of 16 and 17-year-olds and the encouragement of parental involvement. I commend them to the House.

Mr. Randall: I am grateful to the Minister for his compliments about the way in which Opposition Members made proposals. He made some nice comments about the Opposition's ability to argue rationally in Committee.

The amendments remove the absurd proposal that parents of 16-year-olds living at home and in full-time education can be bound over to prevent their children from offending. The inconsistency is that parents may be held responsible for young people who have stayed on in full-time education and who live at the parental home, and may be bound over to exercise proper care and control over the young person. However, if a young person is over 16 and is in work, is unemployed or has left home, the parents cannot be held responsible. Clearly, that is absurd.

I noticed that, every time a concession was made in Committee, the Minister left the Room to allow his right hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold) to deal with it. It is nice to see him conceding such a major argument on which amendments were tabled by the Opposition, but the consequence is that the superb speech that I was going to make on amendment No. 97 no longer needs to be made.

Mr. Patten: That is why I made the concession.

Mr. Randall: It means that I have had to make the speech that I would have made for amendment No. 97 in this debate.

The Minister's concession is good news because it means that we shall not have to debate amendment No. 97.

Amendment agreed to.

Amendment made: No. 115, in page 32, line 39, leave out

'falling within paragraph (a) above'

and insert

'where the relevant minor has not attained the age of 16 years'.—*[Mr. John Patten.]*

Mr. Sheerman: I beg to move amendment No. 90, in page 32, line 41 at end insert—

'(1A) In exercising the powers conferred by this section, the court shall have regard to such of the following considerations as appear to it to be relevant, that is to say—

(a) whether the parents have neglected to exercise due care and control of the child or young person and whether any such neglect has caused or contributed to the commission of the offence,

(b) whether exercising the powers conferred by this section would reduce the likelihood that the child or young person himself will accept personal responsibility for his actions,

(c) the relationship of the child or young person with his parents and the likely effect on that relationship of exercising the powers conferred by this section, as well as to any others which appear to be relevant.'.

The amendment lays down the criteria for binding over parents of juvenile offenders. Although the Labour party takes the subject of parental responsibility extremely seriously, we have different ways of expressing it.

I do not wish to interfere with your judgment, Mr. Deputy Speaker, but I thought that the Minister's important remarks about hoax calls were rather out of order. However, we agree with him about the wickedness of such behaviour. It is important to make hoaxers realise that the technology now exists to catch them and that increasingly sophisticated telecommunications equipment means that they will be caught and penalised. Stopping young people offending in the first place is far more effective than dealing with them afterwards. The most effective way to ensure that they do not offend is to make sure that they know that the probability of their being caught is high.

Although we believe in parental responsibility, our notion of it is rather different from that of the Government. The amendment lays down the criteria for binding over parents of juvenile offenders. In Committee, the Minister often said that we are having our cake and eating it, because we do not like the clause on parental responsibility any more than we like the privatisation of prisons. When we realise that we shall not win a vote on the principle of an issue, we try to improve the clause and that aspect of the Bill, even though we disagree with the principle. I hope that the Minister does not come back with his tired old chestnut in response to the amendment.

It is important to emphasise that the inclusion of such criteria would go some way toward reducing the serious disquiet that the clause causes to those who work with and sentence juvenile offenders. The clause disturbs expert opinion in the criminal justice system and that is, in itself, disturbing. As we said earlier with reference to Lord Justice Woolf's report, it is important to work with the people who maintain and run the system. If the magistrates, the Crown prosecution service and the magistrates' clerks do not like a proposal, there is little chance of making it a success.

We predict that the clause will be stillborn. It provides that, when a juvenile is convicted of an offence, the court must bind over the parents

"to take proper care of him and exercise proper control over him"

unless it is considered that that would be unreasonable. The parents would be bound over in a specified sum up to £1,000 and, if the child re-offended, the parents would be liable to forfeit that amount. In effect, a binding over amounts to a suspended fine. Binding over requires the parents' consent, but the clause empowers courts to fine parents who refuse to be bound over, which renders the idea of consent entirely academic. It is a strange piece of legislation—a sort of Catch 22. I could think of a ruder expression, which I probably should not use because it might be unparliamentary. If someone does not obey the legislation, he has the right to protest, but he will have to pay anyway. The parents will always have to pay.

Magistrates are extremely concerned about the possible effects of the clause and the Magistrates Association has made known its strong opposition to the proposal. In its comments on last year's White Paper, "Crime, Justice and Protecting the Public", the association referred to

"the harmful effect these proposals could have in hastening a breakdown of family relationships".

It continued:

"Parents may feel that they are being punished twice for one offence of their child".

It is sad that we in the House can easily become divorced from the reality of parenting which is not normal, but marginal. As a student of economics many years ago, I was interested in the marginal concept. We made judgments on marginal utility and marginal demand. When dealing with the criminal justice system, it is important to remember that it impacts most on the marginal family that is just holding itself together with a little bit of luck and making its way through a crisis.

The Minister and the Government have not realised —but magistrates and probation officers do—that to fine parents in many of the families of which we are talking this evening could be the last marginal straw in breaking up that family. That may not concern the Minister, but it concerns the Opposition. We do not want legislation that destroys families instead of binding them together. We do not want more children being forced to live rough in London rather than staying at home because the feeling within the family has become so bitter that they leave home. The clause would help to do that.

The Justices' Clerks Society opposed the clause in its comments on the White Paper and cited a number of additional practical reasons for its concern. It said:

"We oppose the proposals relating to the binding over of parents to take proper care of children and to exercise proper control over them. We foresee protracted hearings where parents refuse to be bound over and it is our view that a fine on a recalcitrant parent would be inappropriate . . . We also believe that the introduction of the requirement will inevitably lead to more contested juvenile cases, particularly where parents were already subject to a bind over. Even where the offence is admitted or proved, proceedings in relation to whether or not the parent (and if so which one) should forfeit the recognisance will lead to further, often disputed, hearings."

Anyone who is familiar with magistrates courts will know that justices' clerks are the most experienced in such matters, spend all their time in courts and give advice to magistrates. They are central to the role of the magistrates courts. I should have thought that the Minister would take more notice of their views. Unfortunately, the clause is driven by the unacceptable right of the Conservative party. I do not know whether the legislation on parental responsibility was made in some hidden, smoke-filled room of the Monday Club—we all know what a disgraceful organisation that is—or by another of the secret right-wing societies in the Conservative party.

6.45 pm

Magistrates already have the power to bind over parents in most cases, but they use it in only a handful of cases a year, because they know that in most cases it will not work. The Minister will have another chance in a moment, but in Committee he adeptly sidestepped my question about why, if the power already exists, magistrates do not use it. Will the Minister come back to explain why our contention is wrong? We believe that the power will not be used and that clause 48 will be stillborn. If the Government continue to pass legislation on the basis of ideology rather than what is good and workable, they will bring the criminal justice system into disrepute. It is bad to base law not on human behaviour, but on political ideology.

We believe that making parents forfeit money will increase the pressure on many families for whom life is already a struggle and penalising parents for their children's actions will cause enormous resentment. Where there is already tension between parents and child, it will aggravate relationships still further, putting young people even more at risk. In all too many cases, that is likely to accelerate the trend for parents to throw their children out of the house and swell the growing ranks of young homeless.

The clause is opposed by organisations representing magistrates, justices' clerks, probation officers and social workers, all of whom fully accept the importance of parental responsibility and are actively concerned to find effective ways of reinforcing it. They are the professionals who care about parental responsibility, not some nice little middle-class group, tucked away and working at a distance from the real problems of our country. It is all very well for the nice, tidy, middle-class minority, but the parents with whom we are dealing are the ones for whom the professionals know the reality is different.

I shall quote from a truly revolutionary, red source, *The Times*. The argument against the clause was summarised in a leading article on 10 November 1990—perhaps Conservative Members hold their breath—which stated:

"This is the kind of proposal that makes perfect sense to middle class ministers."—

[Interruption.] The nice, middle-class Minister of Agriculture, Fisheries and Food does not want to listen—I cannot think of anyone nicer or more middle-class.

The Times leader talked about

"middle class Ministers, who generally leave the taming of adolescence to their children's boarding schools."

How true that is. It would be lovely to see some of the Cabinet sending their children to ordinary, public sector schools. The article continued:

"For, say, the single mother in Brixton, struggling against odds to keep a young person on track, they represent only a threat. Many such parents will be tempted to wash their hands of their responsibilities. Parental influence—the last, best hope of deflecting the youngster from a life of crime—will be removed. The magistrates do not want these powers. Parliament should not force them to have them."

The Government have made it clear that they are determined to press ahead with the proposal despite widespread opposition. By accepting the amendment, they could at least reduce the damage that it is otherwise likely to cause families. I make a last plea to the Minister to think again about the clause, because it will help to destroy parents, families and responsibility.

Mr. Humfrey Malins (Croydon, North-West): I declare an interest as a solicitor. The clause has nothing to do with nice middle-class Ministers, the right wing of the Conservative party or the middle classes, but a lot to do with sound sense. The hon. Member for Kingston upon Hull, West (Mr. Randall) has known me for some years and knows that I am on the left of the Conservative party. The hon. Gentleman might think that I am one of the soggy ones. I inform him that the clause appeals to the whole range of thinking throughout the country. It is not from a Tory think tank.

The hon. Member for Huddersfield (Mr. Sheerman) talked about punishing innocent parents. When a youngster commits a crime, I am not even sure whether there is such a thing as an innocent parent. Parents have responsibility for what their children do. Anything that hon. Members can do to reinforce parental responsibility must be welcomed.

I was surprised to hear the hon. Gentleman say that the Magistrates Association was against the clause. I can speak only anecdotally, but almost to a man, the magistrates whom I have known over the years have said that they wanted stiffer powers to make sure that parents were held more accountable. I have appeared in courts many times as an advocate for youngsters aged 15, 16 or 17. Sometimes the parent will be present in court, and he will be asked, "How do you explain the crime that this 17-year-old committed? He was drinking in pubs and then got involved in violence at 10 o'clock at night." That parent may say, "It's up to him. His own time is his own. I don't bother about where he goes after school." Without a doubt, such a parent should be bound over and held accountable for that offence. Another parent may say, "I thought that my son was at the youth club, because that's where he said he was going." Clearly, it would be unreasonable to punish that parent. The courts will be sensible enough to deal harshly only with parents who display an attitude that shows that they could not care less.

I sometimes wonder whether we should extend parental responsibility to those in loco parentis. What about all the young men and women from all social classes who are at fine boarding schools such as Eton and Harrow? Those schools are in loco parentis during term time. The head teachers should be taken to the local magistrates court if one of their 17-year-olds is caught out on a drunken spree. I say that seriously, because schools take their in loco parentis role very seriously. They should be included in the legislation. We must do whatever we can to reinforce parental responsibility.

Mr. Maclennan: The Government have been at some pains to show that they do not wish to fetter the discretion of the judiciary. They used that argument most powerfully in the debate on the sentencing council but, exceptionally, in respect of this clause, they appear to want to fetter the discretion of the judiciary and to do so in circumstances that are opposed by all hon. Members who have representative roles in the administration of the criminal justice system.

This is a bad clause. Clearly it will be honoured in the breach more than in the observance. It is a bad clause because it removes from the court the right to consider the appropriateness of doing what it may wish to do by imposing upon the court a duty that it must discharge unless it thinks it unreasonable so to do. The amendment would remove the sting of the clause by describing the circumstances in which it would be unreasonable to do so. If the Minister argues that there is some discretion, it

would be appropriate to acknowledge the wisdom of describing the circumstances in which the discretion should be exercised. There has been considerable debate about this matter, but I hope that, even at this stage, the Minister will not seek to trumpet the Government's concern for parental responsibility as being greater than that of hon. Members who take a different view about how parental responsibility is best reinforced.

The House is aware of the importance of parents in minimising behaviour that leads to crime and of the crucial role that parents can play. However, it cannot be right to impose upon parents a duty that excludes the particular circumstances of cases before the courts. If it were right, I do not believe that those who administer the criminal justice system and have responsibility would unanimously believe that the Government have got it wrong.

Mr. John Patten: The hon. Member for Caithness and Sutherland (Mr. Maclennan) cannot have read the Bill. We are not in Standing Committee—the Bill is being considered on Report. The reference to reasonableness is there for all the world to see. It is on page 32 of the Bill. Clause 48(1)*(b)* uses the words,

"to exercise those powers unless satisfied that it would be unreasonable to do so".

The courts have all the opportunity they need to take into account that which is reasonable and that which is unreasonable.

There is nothing onerous on the courts or on those who come before the courts. Rather, there is a great opportunity, as mentioned by my hon. Friend the Member for Croydon, North-West (Mr. Malins) in a speech that was not only robust but was founded on his experiences in dealing with such issues in the courts. There is everything to be said for having that binding-over power not to punish but to prevent future crime. That is what we are attempting to do.

To use a phrase that I can remember being used by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs when he was Home Secretary, we are trying to ensure that children grow straight rather than crooked. If, by the intervention of the courts trying to encourage parents to take their responsibilities more seriously, children can be prevented from continuing to grow crooked, that is a very good thing. This measure has nothing to do with punishing parents but everything to do with trying to persuade them to take their responsibilities seriously and with preventing future criminality.

Mr. John Greenway: I spoke to a magistrate only the other day in relation to a case in which a child of only 14 was persistently playing truant. The father did not know that the child's truancy had gone on for six months, and it was subsequently discovered that, during those periods of truancy, many minor but nevertheless serious offences were committed. I am absolutely convinced, as is my right hon. Friend, that it is important to confront the parent with the reality of what the child is up to. That is the real benefit of the measure.

Mr. Patten: As my hon. Friend says, this measure brings the parents slap up face to face with their responsibilities. I was interested in the idea of my hon. Friend the Member for Croydon, North-West that we should bring head teachers face to face with their responsibilities, too. I do not think that that is a matter for this Bill, but it is food for thought for a future Bill. My right hon. and learned Friend the Secretary of State for Education and Science is very concerned about truancy. We in the Home Office are worried about truancy. If we can deal with the truancy problem more effectively, we can not only prevent offending but bring up children who will perform better and achieve better in school.

We had long debates on this issue in Committee. Of course I take into account the views of the Magistrates Association and of justices' clerks as expressed by their national organisations, but there are about 27,000 magistrates in the country, and their views vary widely. Many magistrates strongly support our view.

Mr. Dicks: We are legislators; we protect the public. We do not legislate for the best interests of magistrates, magistrates' clerks, probation officers or social workers.

7 pm

Mr. Patten: My hon. Friend the Member for Hayes and Harlington (Mr. Dicks) will recall that, all through the Committee stage, the hon. Member for Huddersfield (Mr. Sheerman) kept talking about "the lobby" and holding up and reading from bits of paper which referred to the lobby's views. As my hon. Friend said, we are legislators, and we act in the public interest. We take into account the views of national bodies, which are important, but we must make up our own minds.

Mr. Sheerman: The hon. Member for Hayes and Harlington (Mr. Dicks) and I disagreed many times in Committee, especially about his attack on magistrates, which he withdrew. The Minister said that there were 27,000 magistrates and that their opinions differed widely depending on which clutch one talked to. If the measure is so popular, why is not it currently used by magistrates in more than a handful of cases?

Mr. Patten: The present legislation is not drafted in such a way as to encourage its use. We intend to introduce an integrated package of powers along the three particular tracks to which I referred earlier. That package, together with much more training for the magistracy in these matters, will lead to the much greater use of those powers by magistrates courts—and a good thing, too.

Amendment No. 90 is similar in intention to amendment No. 82. My reasons for opposing it are identical to those which I adduced in opposing amendment No. 82. Similar objections arise. I cannot accept the amendment, and I urge the hon. Gentleman to withdraw it.

Question put, That the amendment be made:—

The House divided: Ayes 184, Noes 263.

Division No. 78] **[7.01 pm**

AYES

Adams, Mrs. Irene *(Paisley, N.)*	Benton, Joseph
Allen, Graham	Bermingham, Gerald
Alton, David	Bidwell, Sydney
Archer, Rt Hon Peter	Blunkett, David
Armstrong, Hilary	Boateng, Paul
Ashdown, Rt Hon Paddy	Boyes, Roland
Ashton, Joe	Bradley, Keith
Banks, Tony *(Newham NW)*	Bray, Dr Jeremy
Barnes, Harry *(Derbyshire NE)*	Brown, Gordon *(D'mline E)*
Barnes, Mrs Rosie *(Greenwich)*	Brown, Nicholas *(Newcastle E)*
Barron, Kevin	Caborn, Richard
Battle, John	Callaghan, Jim
Bell, Stuart	Campbell, Ron *(Blyth Valley)*
Bellotti, David	Campbell-Savours, D. N.
Benn, Rt Hon Tony	Canavan, Dennis

Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Fraser, John
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lambie, David
Leadbitter, Ted
Leighton, Ron
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Hara, Edward
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Steel, Rt Hon Sir David
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes
Mr. Martyn Jones and
Mr. Ken Eastham.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Knox, David
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Sir Ian *(Havant)*
Lyell, Rt Hon Sir Nicholas
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John

Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Meyer, Sir Anthony
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

Clause 51

ATTENDANCE CENTRE ORDERS

Amendment made: No. 40, in page 35, line 43, at end insert:

'(6) After subsection (5) of that section there shall be inserted the following subsection—

"(5A) In dealing with an offender under subsection (3)(a) or (5) above, the court concerned—

(a) shall take into account the extent to which the offender has complied with the requirements of the attendance centre order; and

(b) may assume, in the case of an offender who has wilfully and persistently failed to comply with those requirements, that he has refused to give his consent to a community sentence which has been proposed by the court and requires that consent.".'—*[Mr. John Patten.]*

Clause 64

POWERS AND DUTIES OF PRISONER CUSTODY OFFICERS ACTING IN PURSUANCE OF ARRANGEMENTS

Mr. Randall: I beg to move amendment No. 84, in page 42, line 34, after 'wellbeing', insert

to protect them as far as possible from public scrutiny and insult, and in any such conveyances as are used to transport them to provide them with adequate ventilation, light and standards of physical comfort.'.

The amendment will bring the regulations governing the custody and transportation of prisoners outside prison into line with the European prison rules. Rule 50 states:

"When prisoners are being removed to or from an institution, they shall be exposed to the public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form."

The second part of rule 50 states:

"The transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship or indignity, shall be prohibited."

The European rules are not binding in law but the Council of Europe recommends that

"governments of member states be guided in their internal legislation and practice by the principles set out in the text of the European Prison Rules . . . with a view to their progressive implementation."

The Committee of Ministers included that recommendation in the preamble to the rules, adopted by it on 12 February 1987.

In addition to requiring the adoption of the European prison rules, the amendment would extend to the prisoner custody officers the requirement of domestic rule 38, which states:

"A person being taken to and from a prison in custody shall be exposed as little as possible to public observation, and proper care shall be taken to protect him from curiosity and insult."

The need for regulations governing the physical conditions in vehicles used to transport prisoners was graphically illustrated by the death from heat stroke in 1989 of Terence O'Shea. He was being transported from court to prison in a prison van with inadequate ventilation. The pathologist who carried out the investigation into the death said that, even five hours after his death, Mr. O'Shea's body temperature was still 2 deg Centigrade above normal. Perhaps the Minister of State will remember from physics that one can almost double the temperature to convert it into degrees Fahrenheit. That means that Mr. O'Shea's body temperature would have been about 4 deg Fahrenheit above normal. I do not know whether the Minister remembers the formula—I do: it is F minus 32 divided by nine equals C divided by 5. I am sure that the Minister will find that, by inserting 2 deg Centigrade into the formula. Mr. O'Shea's body temperature was 4 deg Fahrenheit above normal which is serious.

If the transportation of prisoners is contracted out to private companies which, by definition, are bound to have different motives from public organisations, there may be a temptation for them to cut costs and not provide adequate care and attention for the prisoners, which may result in inadequate ventilation and space. Our amendment seeks to make such unnecessary and wrong cost-cutting impossible.

Mr. Teddy Taylor (Southend, East): The hon. Gentleman is being a little unfair to private companies. He

[Mr. Teddy Taylor]

should bear in mind the fact that, if a private company has a contract, it will have an incentive to keep standards high so that it does not lose the contract when it is renewed. I appreciate that there is an ideological divide, but does the hon. Gentleman accept that what we have found in Southend-on-Sea when we have privatised some services is that private contractors want to maintain standards so that they can keep the job next time round?

Mr. Randall: The hon. Gentleman makes a good argument, and I agree that that is the case, but the other side of it is that, to keep the business, a contractor would have to compete with the public sector, and to do so, he would undercut it on cost. The question is, where do the priorities lie in terms of cost-cutting? I am sure that the hon. Gentleman will know that, where hospital services, such as catering, have been privatised in his constituency of Southend, East, there are numerous examples of things going wrong if there is too much cost-cutting. We are simply saying that there is a threat of such things happening. The Terence O'Shea case shows that we are talking about a real problem.

I am sure that the Minister of State will remember discussing this matter in Committee, when she said:

"although I cannot accept the amendment with its current-wording, it would be churlish of me indeed not to take it away and consider bringing back at a later stage a suitable amendment which covers the hon. Gentleman's points, particularly about adequate lighting and ventilation, which I believe is already covered."—[*Official Report, Standing Committee A*, 29 January 1991: c. 564.]

Opposition Members came to this debate expecting the Government to table an amendment on this subject. Sadly, however, we have been disappointed. I do not believe that the right hon. Lady is being churlish, because that is not her nature, so other mechanisms within the Home Office must be causing this important matter not to be amended in legislation. The consequence is that the recommendations of the European Economic Community and the other rules to which I have referred, which exist purely to ensure good practice, are being omitted from our legislation. We regret that, and will listen carefully to see why the Minister has failed to table the amendment that we expected.

Mrs. Rumbold: The hon. Member for Kingston upon Hull, West (Mr. Randall) has given me a little to think about. He reminded me of my physics lessons. Although physics was not one of my best subjects at school. I was not so bad at it that I could not recognise the intensity of heat to which Mr. O'Shea was subjected when he was being escorted.

We take extremely seriously the importance of protecting from curiosity and insult those who are being escorted and of ensuring adequate heat, ventilation and lighting. Although I have failed significantly in the eyes of the hon. Gentleman—kind though he has been towards me this evening and sorry though I am to have been unable to table the amendment to which he was looking forward—we shall table an amendment in another place in the form, we believe, of an order-making power so that, in relation to contracted-out prison escorts, the Secretary of State can make rules to protect prisoners from public scrutiny and insult.

The rules will be similar to the present rule 38(1) to which my hon. Friend the Member for Southend, East (Mr. Taylor) alluded in relation to private, contracted-out escort services. It is, however, important to remember that the O'Shea case occurred when the public sector was responsible for escorting. The rules need to be changed to ensure that, while prisoners are being escorted in the private sector, they have protection similar to that which they enjoyed before.

In the light of that, I hope that the hon. Member for Kingston upon Hull, West will feel reassured. Although I have been unable to table such an amendment this evening, it will be tabled in another place.

Mr. Randall: Opposition Members welcome what the Minister has said. It appears that she recognises the seriousness of the problem but was prevented from tabling an amendment today because of the lack of time to consider it fully. I note that she has said that the Government will introduce a measure in another place in the form of an order-making power. I am sure that all hon. Members will welcome the Minister's attitude and look forward to an amendment being inserted in the Bill in another place.

Accordingly, on behalf of the Opposition, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 66

POWERS AND DUTIES OF PRISONER CUSTODY OFFICERS ACTING IN PURSUANCE OF ARRANGEMENTS

Mr. John Greenway: I beg to move amendment No. 116, in page 43, leave out lines 13 and 14.

Mr. Deputy Speaker: With this, it will be convenient to consider the following amendments: No. 117, in page 43, line 16, leave out 'to which this section applies' and insert 'which—

(a) is established after the commencement of this section; and

(b) is for the confinement of remand prisoners, that is to say, persons charged with offences who are remanded in or committed to custody pending their trial, or persons committed to custody on their conviction who have not been sentenced for their offences;'.

No. 118, in page 43, leave out lines 25 to 28 and insert——

'(4) The Secretary of State may by order made by statutory instrument provide that this section shall have effect as if there were omitted from subsection (2) above either—

(a) paragraph (a) and the word "and" immediately following that paragraph; or

(b) paragraph (b) and the said word "and" or

(c) the words from "which", in the first place where it occurs, to the end of paragraph (b).

(5) No order shall be made under subsection (4) above unless a draft of the order has been laid before and approved by resolution of each House of Parliament.'.

No. 119, in clause 74, page 47, leave out line 8.

Mr. Greenway: Clause 66 provides the framework for a private sector experiment through the provision of a new remand centre at Everthorpe.

In Committee, I introduced a group of amendments which would have had the effect of considerably widening the opportunity for private sector involvement throughout the prison service. We argued for that proposal for many hours, and I am disappointed that my right hon. Friend

the Minister of State has not been convinced by my arguments and has not agreed to the bolder step that I suggested.

I hope to have a little more success with this group of amendments. They are technical amendments, which would allow the experiment at Everthorpe to be extended in the light of the experience of that project. I acknowledge that my enthusiasm for private sector involvement in the remand system—and perhaps, eventually, in the prison service—is not shared at all by Opposition Members, or fully shared by some of my hon. Friends, who believe that we should proceed with much greater caution. I accept and acknowledge that majority view.

However, I hope that my right hon. Friend might see the wisdom of incorporating in the Bill a framework under which, subject to the agreement of Parliament, the experiment could be taken a stage further if the plans for Everthorpe prove successful. The changes I propose in these amendments would give the Home Secretary and the House the flexibility that the clause as drafted denies.

Surely, on the day on which Lord Justice Woolf's report has at long last been published, hon. Members can agree at least on the desirability of improving the prison regime still further. We shall need time to reflect on the detail of the Woolf recommendations. I have already spotted the suggestion concerning the provision of community prisons, with a view to maintaining links between a prisoner and his family and the community. I am sure that that would be very beneficial. Then there are the suggestions concerning alternative methods of managing prisons.

As I said in Committee, the need to improve the prison regime is urgent and great. It would be wrong to close our minds to some of the more innovative opportunities that the private sector may be able to offer. I acknowledge the need for a cautious approach, but I hope that my right hon. Friend will feel that in these amendments we have struck the right balance, and that she will find it possible to accept them.

7.30 pm

Mr. Teddy Taylor: I support what my hon. Friend the Member for Ryedale (Mr. Greenway) has said. In so doing, I am reminded of Corrie primary school on the island of Arran. Many years ago, I was a Minister in the Scottish Office for about a year and a half. There were lots of exciting things that I wanted to do, and lots of exciting reforms that I wanted to introduce, but looking back on that year and a half, the only specific thing that I recall achieving was keeping Corrie primary school open. The local council had proposed that it be closed, but as a Minister I had power to overturn that proposal. I did so, on the grounds that I thought that the school would prosper. Happily, it survives to this day. To justify my faith in my real achievement, I go to Arran every year for a holiday. That is one way of seeing the greatness of what I have done in politics over a period of 26 years.

In what way is Corrie primary school relevant to this clause, which, so far as I can see, is intended to be a great reforming provision? On the basis of what is laid down, it seems that only one remand prison will be available for consideration. Criminal justice measures come before us very rarely. If we have this as the basis of our experiment, and if we wait three or four years to see how it progresses, the prospect of reform will be very limited indeed. We are not saying that there is a case for changing the whole character of the legislation—indeed, that cannot be done at Report stage—but we should have the opportunity—perhaps next year, perhaps the year after—to bring forward some regulations by which the matter could be reopened.

Why has there been so little progress? At the time of the Corrie school incident to which I referred, we had a very large, enthusiastic and talented civil service, whose members knew far more about everything than I did. That is why they did nothing at all—which was probably very wise. In the prisons section of the Home Office there are some extremely talented people, who probably know more about everything than I do. There is always a temptation for individuals to hold back, to avoid going too far. I hope that this Minister will have a great reforming career. Indeed, I know she will. She has great ability and integrity. I am asking her not to overturn the clause or to reopen the whole business, but simply to accept that, if there is a possibility—perhaps next year or the year after that—of reopening the subject by bringing forward regulations, that possibility should be grasped.

My hon. Friend the Member for Ryedale has been very reasonable, which is unusual for someone who consistently supports farmers. What he is saying is that things like this should not simply slip through but should be subject to affirmative resolution. Nothing could be more reasonable. Most of the views that my hon. Friend expresses are ones that I, as a Conservative, find it difficult to support. However, I hope that the Minister will accept that this is a very reasonable proposal which does not go too far.

We do not want to see the Minister's hands tied so that nothing can be done. There should be some arrangement whereby she could come back to the House and advise hon. Members to consider arrangements that had worked out. Perhaps they would not have worked out. All I am saying is that we should have some arrangement whereby, without drafting a completely new law, the case could be reopened. I hope that the Minister, who always displays reasonableness, will allow this little chink of light for the benefit of those who think that there is something worth while here.

Mr. Sheerman: This is the part of the Bill to which we object most strongly. I am sure that no hon. Member fails to understand the reasons for our objection. We believe that pressure is being exerted by certain elements in the Conservative party to push the Bill in an even more radically rightward direction.

Earlier today, we were talking about the most important report of Lord Justice Woolf. When I pressed the Home Secretary on whether the change of direction was a philosophical one, he did not seem to understand my point. That point is absolutely germane to this debate. For 12 years, the Government, instead of addressing the fundamental problems of our penal system, have thrown money—£1 billion—at the problem by building new prisons, but that did not work. More recently, they have come up with the notion—stimulated by organisations such as the Adam Smith Institute—that private prisons may provide the answer. In fact, neither is the correct approach, because the Government have got the philosophy wrong.

If the Minister is right in terms of her commitment to Woolf, she will one day reflect—probably quietly, away from the television lights and the Chamber—on the fact

[Mr. Sheerman]

that acceptance of the philosophy of Woolf involves accepting a total change of direction as a fundamental necessity. If she were to accept the pressure from some of her right-wing colleagues, on the Standing Committee and outside it, to broaden the scope of privatisation—which is what this amendment would do—she would be making the mistake of retaining the old bankrupt philosophy. What Woolf has provided—if only the Government could recognise it—is an opportunity to come up with the correct solutions to the problems of penal policy. The whole country would be grateful if the Government would show the courage and clarity of thought which are necessary to recognise that.

I expect that I shall not be successful, but I must try to persuade the right hon. Lady that, if she were able to recognise that dichotomy, she would reluctantly tell her colleagues that the Government had seen the light. I realise, of course, that she has to be polite to her colleagues. On this first day post-Woolf, the Government should show a willingness to change direction by refusing to go down the road of privatisation. The Labour party is totally opposed to the proposals for private remand prisons. We have always said that this would be the thin end of the privatisation wedge. Indeed, before the Bill had completed its Committee stage, the Minister had changed her mind and moved further in the direction of privatisation per se, rather than just privatisation of remand prisons.

We find those proposals repugnant. The case against privatisation was put most eloquently in July 1987. I am sorry that the Foreign Secretary, who was sitting on the Front Bench only a few minutes ago, is not here now to hear me quote the words that he uttered as Home Secretary. He said:

"I do not think that there is a case, and I do not believe that the House would accept a case, for auctioning or privatising the prisons or handing over the business of keeping prisoners safe to anyone other than Government servants."—[*Official Report*, 16 July 1987; Vol. 119, c. 1303.]

Why did privatisation get on to the Home Office agenda? The answer is simple. It did so because of the failure of the Government's policies, which has shown itself in one simple way—the overcrowding of our prison system. The number of prisoners escalated from 43,326 in 1983 to an alarming 50,265 in 1987. The pressure was particularly bad in the remand sector, where unconvicted prisoners endured some of the most squalid conditions. It goes against any concept of justice that people who have not been proved guilty of an offence are kept in the worst cells and the worst prisons.

The pressure grew for something to be done. We know that the Government's first reaction was the frantic building of more prisons. They expanded the prison building programme so much that they faced a bill of £1 billion on top of the running costs of £1 billion a year. That was a massive investment. If anyone was throwing money at a problem, it was the Government.

People could see that that was not working. It was suggested that we should go down the American route, but who wants to do that? Hon. Members who served on the Committee with me will be sick to death of my citing the American experience. In America, there were 3·33 million people in prison in 1974 and 1·3 million in 1990. I do not often correct the shadow Home Secretary, my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley), but by a slip of the tongue he got it wrong earlier. He said that we had the worst prison record in the industrialised world. While we may have the worst record of imprisonment per head of population in the Council of Europe countries, including Turkey, our record is not worse than that of the United States, and I hope that it never will be. The increase in the supply of prisoners there seems never-ending, and that looms large in the minds of the Government and the people of the United States.

The other suggestion which came out of the woodwork, or out of the Adam Smith Institute, was privatisation of the prisons—if not all of them, at least the worst affected, which are those on the remand side. Instead of building more prisons, the Government should have done something about reducing the prison population. They should not now, belatedly, be returning to the idea of privatisation. It is a delicious irony that these proposals for expanding the role of the private sector in the prison system should come at a time when the prison population is beginning to fall.

The Labour party's recommendations on reducing the prison population have at last been heeded. The Government have finally listened to the experts. I am not saying that the Labour party has great expertise, but it was prepared to listen to the experts before writing its policies on penal reform.

If this is the wrong policy at the wrong time, why are the Government pursuing it? Part of the answer must be that they are giving in to commercial interests. It is no secret that certain construction companies close to the Conservative party stand to gain from the privatisation of prisons. That such interests are influential in determining penal policy is wrong in principle and dangerous in practice. I am old enough to remember former United States President Eisenhower warning against the military-industrial complex. I should be warning against the penal-industrial complex, whose participants have more to gain from an increase in the prison population than from a reduction.

7.45 pm

There will be pressure for more prisoners. As I said in Committee, that is not a conspiracy theory—it is an inevitable law of economics. People do not go into such business to make a loss. The hon. Member for Southend, East (Mr. Taylor) spoke of privatisation. He will know that the guarding of a defence institution by a private security company is all very well with a top-rate company, but without regulation of the industry, chief constables worry about the quality of the firms at the lower end of the market. Competitive tendering forces Government bodies to accept the lowest or almost the lowest of tenders. The senior executive of a leading private security company said to me only in October, "Do you know, Mr. Sheerman, that in Scotland a defence establishment is being guarded by a private security company which pays its employees £1 an hour?" The hon. Gentleman will know about Scotland.

This is not a conspiracy theory. The economics of the situation, in an unregulated industry, will lead to the cowboys taking over not only in the rest of the private security world, but in private prisons. The Government have no plans to regulate security industry, and without such regulation, nothing that the Government say can

reassure the Opposition that there will not be a sector of the prison system run by the cowboy element of the private security industry.

Behind these measures is a black hole into which the Government's policy will fall—their unwillingness to regulate the private security industry. I know that, I am anticipating a later debate, but the two are closely linked. In Committee, Conservative Members bizarrely told us that prisons built by private developers were unutterably better in design, construction and siting than those built by the public sector, which the Government argued were badly designed and planned buildings, with poorly executed work. Yet if a private contract is given to a firm to run as well as build the prison, they argue, standards suddenly and miraculously improve. That is a devastating comment on our building and development industry. I happen to know many people who work in the building industry, and that is a slur on their work. It is a misunderstanding of the public and private sectors.

Good, well-designed prisons can be built and run by the public sector. The Woolf report says just that. When my right hon. Friend the Member for Sparkbrook said that we had a good prison service and a rotten system, he hit the nail squarely on the head. That is the problem that the Government cannot address. Can the private sector build prisons and operate them well and cheaply?

It is interesting that all the rhetoric about effectiveness that we heard in the early days of this debate seems to have disappeared. The financial memorandum states:

"Competitive tendering for the operation of remand centres is not expected to have a significant financial implication."

The American experience leads to the same conclusion. Even Charles Logan, a member of President Reagan's commission on privatisation, in the best researched pro-privatisation book on the American scene, agrees that it is still unproven that private prisons will cost any less than prisons in the public sector.

It was noticeable and alarming that, in discussions with Deloitte Haskins and Sells, private-sector operators claimed that savings could be made by reducing staffing levels through design innovation and technology. Groups such as Inquest are greatly worried about the prospect of turning remand prisons into electronic boxes. The appalling number of suicides in recent years shows that remand prisoners need close attention and contact with more and better qualified staff, not more electronic wizardry and gadgetry. All the research shows that human contact is most important in preventing suicide. That was not mentioned in today's statement and the questions and answers following it. Even since the ghastly events at Strangeways, more people there have committed suicide.

I do not want to bore the House with the American experience, but despite the vast prison population there, there are no private federal prisons and there are only 9,000 adult offenders in privately run gaols. Therefore, the experience of the United States is extremely limited.

Mr. Chris Butler (Warrington, South): As I understand the figures, 25 per cent. of prisoners are federally delivered up to the private sector, and there is now a total of 20,000 beds in the private sector in the United States.

Mr. Sheerman: I think we split down the middle. My latest figures, which I got from the House of Commons Library only this week, show that there are no federal prisoners in the private sector, but that the numbers in the private sector may have risen. The hon. Gentleman may have more up-to-date figures than I do, but between 9,000 and 20,000 is a tiny percentage of the 1·3 million prisoners.

In Committee, the Minister rested her case on the Australian experience. I have checked that, and found, that the position is certainly not as impressive as she would have us believe. The experiment has been going on for only a short time. The number of prisoners in the one prison that is in the private sector is small. Most published material relates to Borallon prison in Queensland, but the claims made about its success are premature. Most experts in our penal lobby argue that it is far too early to make claims about improved recidivist rates, that the prison was operational only in January 1990 and that to make such a claim borders on the irresponsible. It is much too early to speak about cost-effectiveness. Borallon is still running in, and for much of the time has been running at under capacity. The Australian and American experiences do not lead to the conclusions that Ministers seem to suggest.

There is a problem in accepting the Government's arguments when one considers the moral aspect. It is easy to get entrapped by the Government's logic and to argue on their terms. In that way, we are reduced to talking about pounds and pence—the cost of imprisonment. On the day the Woolf report is brought to the attention of the House, we should think about philosophy and underlying values. At the forefront of our argument are our strong moral objections to the use of private prisons.

The deprivation of liberty is the strongest punishment that can be imposed on an individual. Once a court has decided on a prison sentence, the state should be directly responsible for that prisoner throughout his or her sentence. The prospect of private companies deriving commercial gain from imprisonment is grossly distasteful. Private companies, motivated by the requirements to maintain profit margins and share dividends, will compromise inmate care and welfare provision. The Government are taking a cavalier attitude to that and to public safety.

We are gravely concerned that control and security may be seriously compromised by undertrained and inexperienced employees of the private-sector industry. We doubt that our security guards will have the ability to handle the difficult and potentially violent situations that can arise.

I do not have to expand on my case on a day like today. The report about Strangeways and the evil disturbances in our prisons last April leads any fair-minded Member and citizen to the conclusion contained in paragraph 1.4 of the Woolf report. It pays tribute to the men and women involved for their professionalism and care. Indeed, Woolf specifically says that two further questions should have been asked when he was given his terms of reference. The question should not have been why the riots took place, so much as why they had not taken place years ago, given the state of our prisons. What is the conclusion? In paragraph 4, he concludes that, if it were not for the dedicated, highly trained professionalism of those who run our prisons—the governors and prison officers—the riots would have occurred earlier and would have been more widespread.

When the Minister replies, will she tell us what guarantee she has about the level of care, training and expertise that will be found in the most difficult area of the penal system, the remand system, or any other sector when the penal system comes under private unregulated industry? Remand prisoners are highly volatile. Many have never been in prison before and are terrified and even

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psychologically disturbed by the experience. Many will be found innocent. What guarantees does she have about the provision in private remand or any other private sector of the penal system?

I have made the main points of my case.

Mr. Teddy Taylor: At length.

Mr. Sheerman: This is an important debate. I assure the hon. Gentleman that I do not normally take so long on Report, but, as he knows, one or two of these matters go to the heart of the Bill.

There is an inherent misconception in the proposal, which may intrigue the hon. Member for Southend, East. I know that that hon. Gentleman likes the free market, which is lauded by the Tories, but it is a strange marketplace that has one customer only and where those at the sharp end in receipt of service are not at liberty to change their supplier. Such a lack of choice does not represent a free market, more a captive one.

8 pm

We want to flush out the Government's true intentions, because the Minister was less than clear in Committee. On 31 January she said:

"The Government cannot accept the amendments tabled by my hon. Friend the Member for Ryedale . . . because we would need to come to terms with the full implication of what he has to say".

Later on, however, there was a more positive reaction from the Minister:

"I am willing to consider the amendments".—[*Official Report, Standing Committee A*, 31 January 1991; c. 577, 601.]

It must have been those differing comments that totally confused the press, because when I spoke to some of them in the following two days, half of them thought that the right hon. Lady had warmed to the amendment, while the other half said that she had thrown it out without much thought. I should like the right hon. Lady to come clean about her views.

A much clearer view of the Government's intentions is provided in the magazine *New Builder*. It is interesting to look occasionally at the less customary sources of information. We all read *The Economist*, the *New Statements and Society*, and such publications, but it is not often that one reads *New Builder*. In the 7 February edition, we learned that the hon. Member for Rydedale (Mr. Greenway) and the hon. Member for Westminster, North (Sir J. Wheeler) had told the journal that:

"they had convinced the new Home Secretary and the Prisons Minister, Angela Rumbold, that the proposals for privately built and managed prisons in the Criminal Justice Bill did not go far enough".

We also learned that, on the proposals to end the remand of juveniles to prison department establishments and secure more accommodation, the Government were considering the proposal that councils should contract private consortiums to undertaken those projects on a design, build and manage basis. I hope that the Minister will comment on that.

We also discovered from that magazine that the hon. Member for Westminster, North is even more enterprising when it comes to city-centre prisons. He considers that Brixton, Pentonville and Wormwood Scrubs represent an endless source of land for the property market. He said that those prisons occupy sites of considerable value and that

"the Home Office is warming to the idea of giving the sites to private developers in return from them building smaller, privately managed remand centres nearer the crown Courts".

Obviously *New Builder* has some insight into what is going on in the Tory party and its relationship with the building industry. It makes absolutely fascinating reading.

Conservatives may argue that, although the Woolf report concludes that the prison system is in an appalling state and in need of change, the Labour party is being a dog in the manger because it will not go along with the Tory party's insights into how to change such dreadful conditions in our prisons. Such an argument is a red herring. The Woolf report should lead to a radical improvement of the present prison system, not the development of a few brand new prestigious private prisons.

We believe that the state of the penal system is too important to deal with on party political grounds. The future penal system should be agreed upon by the two parties and the Woolf report should be agreed upon by the two parties, and the Woolf report should be the basis of that agreement. If the Conservative Government could bury their ideological hang-up on privatisation of prisons, they would discover that there was enormous support for policies that would radicalise our present penal system.

It is important to note the poisonous effect that the obsession with privatisation will have on the men and women working in the prison service. Such privatisation is opposed by everyone who works in the prison service—certainly the prison governors do not want it. In that connection, how on earth could Ministers introduce an amendment in January concerning what the press described as "flying governors"? No matter how the wonderful private remand centres or prisons are extolled by the Government, it seems that, when a riot takes place, they cannot cope.

The Government suddenly introduced an amendment to provide that a governor from a proper prison in the public sector would be flown in at a moment's notice to deal with any crisis. That is bad enough in itself, but the Government did not consult the governors about that proposal. I understand that the Minister had met representatives from the Prison Governors Association only a couple of days before, but no mention was made then of that proposal. That is a strange way in which to deal with the professionals who run our prison service.

The right hon. Lady should think again before she opens the door a bit more to the amendment tabled by the right of her party. On reflection, she will appreciate that it represents a dangerous path. Such a privatisation measure could sink the one opportunity we have to catch up with the civilised part of the world on penal policy.

Mr. Bruce George (Walsall, South): I should not think that many hon. Members or people outside believe that our prison service is anything other than a national disgrace. It is not right simply to point the finger of guilt at the present Government, as the deficiencies within the prison system did not start in 1979—the blame must go back many generations.

In the past 11 years, the Government have had opportunities to make the necessary reforms, and some things have been done that I applaud wholeheartedly. It is regrettable, however, that in typically British fashion it took a crisis in the prison service—the riots—to precipitate the encyclopaedic report that was presented to us today.

Just because matters are in crisis does not mean that we should move to an aberrant system that is shifting, however incrementally, to a system of private prisons. I believe that Woolf and Tumim have pointed the way and that, if the Government, and future Governments, are prepared to devote resources and provide the political support, we shall have a prison system about which we need not feel a deep sense of shame. If Ministers were asked to take foreign visitors round many of our city-centre prisons, built in the previous century, I am sure that they would refuse to do so. No person of any compassion could feel anything but acute embarrassment at visiting many of our city-centre prisons.

The state of such prisons is no criticism of prison officers, who cannot like to work in such an environment. At least prisoners are in and out in a set time in most cases, but prison officers must spend much of their careers in that dreadful environment and in many senses the effect is degenerative. In passing, I pay a tremendous tribute to the men and women of the prison service who have been engaged to work for many years in adverse surroundings.

We all know that there is much scope for improving the system, but we tend to forget that there is much in the prison service that is experimental and innovative and about which we need not feel the same sense of humiliation. We need to build on those positive elements of the prison service. Lord Justice Woolf has pointed the way in which Governments must go. I cannot accept, however, that even a limited experiment with privatisation is worthy of anything other than condemnation. If by some misfortune the Government accept the amendment, more than a simple experiment would be involved, because that experiment will lead to a mushrooming of private prisons. That cannot be endorsed.

I support many reforms in the prison service and many of the alternatives to prison, but there will always be a place for prisons. I do not belong to the utopian wing of my party, which believes that if only we provided good opportunities for people they would not commit crimes, and that we must create alternatives to prison for almost all who would otherwise go there. That is nonsense. There are people who need punishment, which should be paralleled by a reforming element. So let us reform, but let us not indulge in this nonsense.

I should have thought that the privatisation mania to which we have been subjected had run its course. Perhaps the Government have been tempted to support plans for more privatisation than we had expected to prove to some of their supporters outside, who may be feeling depressed about how the Government have evolved in the past couple of months, that there is still a strong ideological commitment to privatisation and to some of the dottier ideas of the past 10 years. Without wanting to insult friends in the academic world, I must point out that such ideas should have been confined to professors' offices; but now, because of the peculiarities of the political system, they have been enshrined in legislation of which we are suffering the consequences.

I am not opposed to all forms of privatisation. As I said in Committee, I would not fight to the death to return some privatised companies to the private sector. Some concerns will inevitably remain outside public control, but I cannot concede that privatising the prisons is anything more than an idea supported by the more dotty Members of the House. I had hoped that privatisation of the prisons was just the death rattle of the ideological passions of the 1980s, but perhaps my assessment was too optimistic.

Privatisation of the prisons can come in many guises: in the form of contracting out services such as catering or cleaning; and in the form of allowing contractors to build, manage and operate. There is no single model for privatisation.

Why are private prisons to be inflicted on us? They may be a consequence of the ideologically impoverished seeking inspiration from other societies that have gone through the process and picking up their ideas, running them across the Atlantic and trying to translate them, in their feeble way, into British clones of the American experiment. Many of the perceptions of the success of the privatised prisons in the United States have been based on simplistic analyses. The Select Committee on Home Affairs investigated private prisons, and the aspects of its report that relate to private prisons contain more of the ethos of the political pamphlet than the ring of a serious report by a Select Committee.

8.15 pm

The report by Mr. Young for the Adam Smith Institute was also based on limited research experience. Extrapolating on the basis of limited experience, the report judged, wrongly, that the experiment had been successsful in the United States.

As my hon. Friend the Member for Huddersfield (Mr. Sheerman) said earlier, the experiment in the United States has been too limited. An excellent book recently published by Ryan and Ward on private prisons in America and on whether the American experience has any relevance to us states:

"The American experience of privatising the delivery of punishment overall in the United States is both uneven and limited. It is uneven in that it is more prevalent in the south . . . more common in the juvenile sector than in adult corrections; more likely to apply to service delivery than to ownership and/or management."

So that research has shown that the experiment in the United States has been limited, and we should not draw the wrong conclusions from it. The Adam Smith Institute, which is closely connected with the Heritage Foundation in the United States, has praised a system that is undeserving of eulogy. Mr. Young could see no evil in the private sector and was unwilling to see Governments do anything in the prison sector free from his criticism.

The Select Committee that visited the United States produced a political report. By that I do not mean to criticise its Chairman, who has not attempted to hide his close connection with the private security industry. He has been an able proponent of the private prison system, and his predecessor as Chairman—this is also a matter of public record—now serves as chairman of an organisation that is considering building private prisons.

The Home Affairs Select Committee did not perform a good service for the House. I am appalled by the idea of a prison industry, by the idea of the state delegating responsibility for punishment to the private sector and by the idea of prisons being run for profit. I fear that a private prison system will be largely unaccountable. It will not deliver the nirvana that some of its proponents argue it will—places where the food is great, where warders run around not dressed in uniform and where wonderful recreational facilities abound; in short, places not unlike Hi-de-hi holiday camps. That is all an illusion.

On the basis of my experience of the private security industry, I must conclude that the private sector is ill equipped to manage, run and staff prisons. I shall discuss later why I believe that. Bidding for contracts can mean only that good companies will be driven down to the lower level of their competitors. Staff salaries will suffer, as will staff training. We shall not begin to reach the stage recommended by Lord Justice Woolf. He has argued that, although the standard of training in the United Kingdom could be described as reasonable, we must aim for higher standards. The Netherlands may provide us with a model.

Our standards of training are already light years ahead of those in almost every private security company. If the private sector cannot remotely match even the present system of training, which Woolf has argued is inadequate, I cannot believe that it will have either the resources or the enthusiasm to emulate the standards that he requires of prison officers in both sectors.

I hoped that the Bill would merely introduce a narrow experiment and that, when that experiment had been properly evaluated, it would be allowed to die the death. I fear, however, that the Government have other things in mind; and I deplore that.

Mr. Maclennan: The case in principle against the clause has already been adequately deployed, and I do not propose to continue with that line of argument. I wish the Minister to explain how she expects the clause and the amendment—with which she is rumoured to be sympathetic—to fit in with the Woolf recommendations for remand prisons.

In my view, both the clause and the amendment are inconsistent with the purposes of the Woolf report; moreover, they make the achievement of the ends recommended in that report—after careful consideration—much more difficult. According to Woolf,

"the inquiry has concentrated particularly on the position of remand prisoners. This is because they represent a significant proportion of the prison population, and because they unjustly suffer some of the worst conditions in the prison system . . . To emphasise the importance of these matters, the inquiry recommends that there should be a separate statement of purpose setting out the prison service's responsibilities relating to remand prisoners. This statement of purpose should reflect the principle that remand prisoners should normally be accommodated, treated and managed separately from convicted prisoners."

That, surely, is a profoundly important recommendation. How does the clause fit in with it? It seems to want to establish a bifurcation in the custodial treatment of remand prisoners. At least the original clause did not intend all of them to be subject to privately contracted arrangements; but, if the Woolf recommendations apply to the prison service, they will presumably have to apply, and be monitored, in the private sector, which strikes me as a bizarre administrative approach.

Woolf went on to consider the problems of remand prisoners in much more detail. On page 250, in paragraph 10.79, he wrote:

"The many initiatives which have been taken in recent years to try to tackle the problem created by the size of the remand population have on the whole been successful. Indeed the scale of their success suggests that there were, and almost certainly still are, a substantial number of people remanded in custody who should not be in prison . . . The problems created by the unnecessary remands need to be tackled from a number of different directions. Each involves co-operation between the Courts, the Crown Prosecution Service, the Probation Service and the Prison Service."

If the clause and the amendment are passed, a fifth wheel will be added. Similar co-operation will be needed with the private sector, involving a separate series of relationships. I believe that that will confound the present administrative confusion, in the part of the prison system in which the greatest problems are widely recognised to exist.

We must judge the appropriateness of the clause and the amendment by whether the tests recommended by Woolf are more or less likely to be met. On page 327, in paragraph 12.309, Woolf suggests

"Accredited Standards for remand centres".

That will mean a set of separate tests and monitoring arrangements to find out whether the privatised service is operating effectively, which cannot make sense.

The whole report reflects considerable disquiet about the management of the remand population. Woolf diagnoses that as stemming in part from the assumptions that are made about the degree of security that all remand prisoners require. The privatisation proposal strikes me as, at best, irrelevant to the solution of the problems described so cogently by Woolf, and, at worst, likely to make the task of eliminating them much more difficult.

As well as recommending the implementation of certain broad principles, Woolf suggested that helpful guidance would be provided by the proposals in the Prison Reform Trust's publication about regimes for remand prisoners, by Dr. Sylvia Casale and Miss Joyce Plotnikov. Will that helpful guidance be required of those who run the private sector? It is difficult to explain or justify a bifurcation of the system in a sector that has had so many problems, leading to—admittedly—so much unfortunate practice.

It is not as though the Government were proposing a "pure" privatisation. Those who run the prisons will have to operate according to rules and regulations established by Government; the controller, for instance, will be a Crown servant. This is an example of gesture politics on the part of Home Office Ministers who are trying to placate the holders of an uninformed view within their own party, which carries no support outside that party and which the Government would be wise to reject. They now have the perfect reason not to act; indeed, if they accept the amendment, it will be seen as a pre-emption of the Woolf recommendations—as, indeed, thumbing their nose at recommendations, and a pretty contemptuous approach to some serious suggestions. That would be highly unfortunate.

8.30 pm

Mrs. Rumbold: In Committee, my hon. Friend the Member for Ryedale (Mr. Greenway) moved several amendments to clause 66 that would have been rather more dramatic in their effect than amendment No. 116. Perhaps he listened carefully to the debate and to the comments of our hon. Friend the Member for Nuneaton (Mr. Stevens), who said that, if we want to extend clause 66, which applies only to remand prisoners, we should proceed cautiously and step by step to ensure that contracting out is not only acceptable to the Home Secretary and the Government but an effective means of managing prisons. My hon. Friend the Member for Ryedale said that, if the Government accepted the amendment, that was the way in which he would expect us to proceed.

The Wolds is the only remand prison that can be contracted out under clause 66, which the Government are

minded to enact. The hon. Member for Walsall, South (Mr. George) expressed concern about private prisons being a dreadful failure or an aberration. My hon. Friend the Member for Ryedale is saying only that, if it is proved that they can be effectively managed by the private sector, the Government, having carefully considered the implications and ramifications, might extend that proposal to, for example, a young offenders' institution. That is a reasonable proposition for the House to consider.

We have had a long and considered debate. The hon. Member for Huddersfield (Mr. Sheerman) made the Labour party's position clear. It opposes the private sector being involved in the running of prisons. I understand that, but I do not necessarily agree with the ideological point that the prison service can be run only by the public sector. I do not accept that only the public sector should be responsible for the management of prisons.

The debate is being held on the day when the Wolff recommendations became public. I reaffirm—I hope that the hon. Member for Huddersfield accepts this in the spirit in which he made his comments to me—that my right hon. Friend the Home Secretary and I, and indeed the whole Government, are committed to improving the prison service. I do not agree with the suggestion by the hon. Member for Huddersfield that the Government have tried to improve the prison service simply "by throwing money at it", although since 1979 much public sector money has been spent on improving prison service establishments, which were in a distressful state.

As the hon. Gentleman rightly said, only three years ago, our prisons were full and it was not possible to refurbish them. We therefore opened eight new prisons, and will open a further 12 in the next few years. Coupled with the decision that my right hon. Friend the Secretary of State announced today to end slopping out by 1994, that will contribute to achieving the important target of reforming the prison regime. If a prisoner must slop out four times a day, it does not help to establish a good regime under which he can undergo a sensible education, work and training programme.

Mr. Sheerman: The right hon. Lady has delicately avoided giving a firm commitment to implement the Woolf recommendations, which is what Labour Members have been waiting to hear.

Mrs. Rumbold: The hon. Gentleman has already received an answer. My right hon. Friend the Home Secretary announced a package of measures to implement immediately a major part of the Woolf recommendations. As the report was published only today, he reasonably said that many of its recommendations will be considered for inclusion in a White Paper. No Government, of whatever political persuasion, could have done more than my right hon. Friend.

I must confess to the hon. Member for Huddersfield that *New Builder* is not my early morning or bed-time reading. Perhaps I should ensure that I read it as well as *Punch, the Spectator* and *The Economist*. I must also confess that I do not yet read the *New Statesman and Society*.

Mr. Sheerman: What about Christopher Robin?

Mrs. Rumbold: As all my hon. Friends know, Christopher Robin is a favourite of mine.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) suggested that clause 66 and the amendments would be incompatible with the Woolf recommendations. I do not share that view. I do not see why private remand centres, which perhaps would use different methods but would have the same aims, could not operate successfully. They would operate under contract to the Home Office. I do not see why co-operation with other parts of the criminal justice system would be more difficult under these proposals.

Mr. John Greenway: Does my right hon. Friend agree that the Woolf recommendation to segregate remand prisoners within the prison regime was the basis of the recommendation of the Home Affairs Select Committee on private sector involvement in the remand system?

Mrs. Rumbold: My hon. Friend is correct. The Government are taking the first step in considering contracting out a remand prison. We believe that this opportunity will not easily arise again. As my hon. Friend the Member for Southend, East (Mr. Taylor) said, this is a chink of light. If, and only if, the contracted-out remand centre proves to be a success might we move towards privatisation of other parts of the prison service. The House should accept the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 258, Noes 174.

Division No. 79] **[8.41 pm**

AYES

Aitken, Jonathan	Carrington, Matthew
Alexander, Richard	Carttiss, Michael
Alison, Rt Hon Michael	Cash, William
Allason, Rupert	Chalker, Rt Hon Mrs Lynda
Amery, Rt Hon Julian	Channon, Rt Hon Paul
Amess, David	Chapman, Sydney
Amos, Alan	Chope, Christopher
Arbuthnot, James	Churchill, Mr
Arnold, Jacques *(Gravesham)*	Clark, Rt Hon Alan *(Plymouth)*
Ashby, David	Clark, Dr Michael *(Rochford)*
Atkinson, David	Clark, Rt Hon Sir William
Baker, Rt Hon K. *(Mole Valley)*	Colvin, Michael
Baker, Nicholas *(Dorset N)*	Coombs, Simon *(Swindon)*
Banks, Robert *(Harrogate)*	Cope, Rt Hon John
Batiste, Spencer	Cormack, Patrick
Beaumont-Dark, Anthony	Couchman, James
Beggs, Roy	Curry, David
Bellingham, Henry	Davies, Q. *(Stamf'd & Spald'g)*
Bendall, Vivian	Davis, David *(Boothferry)*
Bennett, Nicholas *(Pembroke)*	Day, Stephen
Bevan, David Gilroy	Devlin, Tim
Biffen, Rt Hon John	Dickens, Geoffrey
Blackburn, Dr John G.	Dicks, Terry
Blaker, Rt Hon Sir Peter	Dorrell, Stephen
Body, Sir Richard	Douglas-Hamilton, Lord James
Bonsor, Sir Nicholas	Dover, Den
Boscawen, Hon Robert	Dunn, Bob
Bottomley, Peter	Durant, Sir Anthony
Bowden, A *(Brighton K'pto'n)*	Eggar, Tim
Bowden, Gerald *(Dulwich)*	Fairbairn, Sir Nicholas
Bowis, John	Fallon, Michael
Boyson, Rt Hon Dr Sir Rhodes	Favell, Tony
Brazier, Julian	Fenner, Dame Peggy
Bright, Graham	Field, Barry *(Isle of Wight)*
Brown, Michael *(Brigg & Cl'ys)*	Fineberg, Sir Geoffrey
Browne, John *(Winchester)*	Fookes, Dame Janet
Bruce, Ian *(Dorset South)*	Forman, Nigel
Buck, Sir Antony	Fowler, Rt Hon Sir Norman
Budgen, Nicholas	Franks, Cecil
Burns, Simon	Freeman, Roger
Butler, Chris	French, Douglas
Butterfill, John	Gale, Roger
Carlisle, John, *(Luton N)*	Gardiner, Sir George
Carlisle, Kenneth *(Lincoln)*	Gill, Christopher

Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Sir Ian *(Havant)*
Lyell, Rt Hon Sir Nicholas
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Tim Boswell.

NOES

Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Benton, Joseph
Bidwell, Sydney
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Faulds, Andrew
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ilsley, Eric
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Lambie, David
Leadbitter, Ted
Leighton, Ron
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Hara, Edward
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George

Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Steel, Rt Hon Sir David
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Thomas McAvoy.

Question accordingly agreed to.

Amendment made: No. 117, in page 43, line 16, leave out

'to which this section applies'

and insert

'which—

(a) is established after the commencement of this section; and

(b) is for the confinement of remand prisoners, that is to say, persons charged with offences who are remanded in or committed to custody pending their trial, or persons committed to custody on their conviction who have not been sentenced for their offences;'.—*[Mr. John Greenway.]*

Mr. Sheerman: I beg to move amendment No. 91, in page 43, line 19 at end insert—

'(2A) The Secretary of State shall prescribe in any contract entered into under subsection (2) above standards which shall include standards with respect to—

(a) space per person, air volume, ventilation, heating, floor space, window space and time per day spent in cells;

(b) bathing facilities and frequency of opportunities for bathing;

(c) sanitary facilities and inmates' access to sanitation;

(d) supply of clothing;

(e) provision of meals;

(f) medical care;

(g) inmates' access to work, training, education, association, exercise and physical education;

(h) facilities for visits and inmates' contact with families;

(i) inmates' access to lawyers;

(j) provision of information concering bail and legal aid;

(k) inmates' access to advice and assistance from probation officers and social workers; and

(l) facilities for religious observance, to which the contracted out prison shall conform.'.

Amendment No. 91 is in line with our general views in opposition to prison privatisation that we outlined in the debate on the previous amendment. It deals with the serious problem of providing minimum standards. It would require privately managed remand centres to meet specific minimum standards laid down in the contract. That sounds as though I want to have my cake and eat it, but the amendment is intended to improve something that we hate, loathe and detest.

Throughout the passage of the Bill, we have made it clear that we fundamentally oppose the privatisation of the management of prisons, which is wrong in principle and fraught with serious dangers in practice. If the Government proceed with the private management of one or more penal establishments, everything possible must be done to ensure that private contractors are held accountable for providing decent standards for prisoners.

The amendment is clear and no one can misunderstand our intentions. The case for setting standards of the kind set out in the amendment was made in the Green Paper, "Private Sector Involvement in the Remand System", published in 1988. Paragraph 69 of that document states:

"Operating a remand centre will make heavy demands on the management responsible, and it is important that the company is left in no doubt as to the essential requirements. Contracts will have to set clear and enforceable standards. In the present prison system there is no existing composite document which lays out comprehensively and in detail the requirements for a remand centre regime. One will therefore have to be developed for this purpose. In order to give scope for innovative solutions to problems, it will be important for standards to be defined so far as possible in terms of the results to be achieved, rather than the methods to be employed."

I do not want to delay our proceedings, and I realise that the arguments are understood by the Minister and by all sections of the House. Minimum standards will be debated time and again as we return to the Woolf report and refine its message. Once we have had an opportunity to consider the 800 pages of the report at more leisure than we have had today, I am sure that we shall return to the subject of minimum standards in both public and private sectors.

Mrs. Rumbold: I understand the position of the hon. Member for Huddersfield (Mr. Sheerman), who has once more emphasised his opposition to the proposal for privatisation within the prison service. Although he reiterated his concerns about the proposal, he none the less stated that, if the Government proceed with the proposal, it is important that there should be high standards which would be rigorously enforceable.

For the sake of the hon. Member for Huddersfield, I repeat the assurance given in March 1989 by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, who was then Home Secretary:

"Standards would be high and would be rigorously enforced."—[*Official Report*, 1 March 1989; Vol. 148, c. 278.]

A contract would cover the issues set out so clearly in amendment No. 91. While I cannot list all the other things that will be set out in the contract, I can assure the hon. Gentleman that all those matters and more will be covered. We shall not tell contractors how to do their job but shall set out clearly in the contract what we wish them to achieve in respect of good and safe care of the prisoners to protect the public as well as the prisoners.

Mr. Maclennan: Does the Minister's response to the amendment show that she accepts for privatised remand prisons the recommendation made by Lord Justice Woolf that there should be accredited standards for prisons? If so, does she also accept it for the public, or will there be two different sets of standards?

Mrs. Rumbold: The hon. Member for Caithness and Sutherland (Mr. Maclennan) would recall, if he had been present this afternoon, that when my right hon. Friend the Home Secretary presented the Woolf report to the House, he said that he would reflect on that matter and deal with it in the White Paper to be issued later this year. I hope that the hon. Gentleman will ensure that he is fully aware of that consultation process.

I wish to reassure the hon. Member for Huddersfield that the parts of the contract which deal with the matters under discussion will be made public. Confidentiality will apply only to those parts of any contract which, for

[Mrs. Rumbold]

sensible, commercial reasons are too sensitive from a security point of view. I hope that the hon. Gentleman will feel that we have given satisfactory reassurances about the way in which contracts will be drawn up.

Mr. Sheerman: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

9 pm

Mr. George: I beg to move amendment No. 124, in page 43, line 19, at end insert—

'(2A) The Secretary of State shall only enter into contracts with persons under subsection (2) above if he is satisfied that persons employed by them are adequately trained and vetted.

(2AA) The Secretary of State shall issue guidelines setting out the standards and qualifications of applicants for contracts under this section.'.

My remarks will be brief because, first, I moved the amendment in Committee and, secondly, I have been leaned on.

Those hon. Members who attended the Committee will know that I speak with some interest in the operation of the private security industry. I said earlier, that the concept of private prisons appals me. There is no point in being utopian and saying that there will be no private prisons, because the Bill will be enacted. At least there has been one experiment in the form of a privatised remand centre, on which we may expand.

If we are to have privately run remand centres, it is incumbent on us to discuss the details of their staffing and management. I should prefer to have members of the current prison service operating in prisons, because they have had a lengthy training. They attend a training college near Wakefield, for which they are carefully selected—only one in 10 of those who apply are selected. On completion of the training course, they are closely supervised. These dedicated men and women have an esprit de corps based on a long tradition of public service in prisons. They require enormous experience and are trained and retrained.

The Woolf report, however, did not consider that that was good enough. Referring to training, it argued, in paragraph 13.108:

"For this reason, and because it could also improve the present state of morale in the Prison Service, we recommend that more attention be paid by the Prison Service to training. A greater commitment to training would also help to show that the Prison Service cares about its staff".

The report then says that the Prison Officers Association extols the virtues of the Netherlands prison service and says:

"There, staff had systematic training over the first five years of a prison officer's career, and advanced training between the third and fifth year of his service. This provides an indication of just what is possible."

The report then mentions standards elsewhere and the skills that the prison officer is expected to acquire in the course of his or her service.

The private sector will never be able to come within a million miles of the present system. The prospect of its even aspiring to achieve the higher standards laid down by the Woolf report is simply pie in the sky. With support and funding, the public sector could achieve those objectives, but the private sector is inherently incapable of delivering the quality of service that is required.

Mr. Maclennan: The hon. Gentleman's argument can be further fortified by Lord Justice Woolf's recommendations on recruitment. The report states in paragraph 13.167:

"The Inquiry accepts that it is to the advantage of the management of the Service as a whole for recruitment decisions to be made at Headquarters."

Mr. George: I am grateful to the hon. Gentleman. I always prided myself on being a speed reader, but I have not yet absorbed all the report, nor am I likely to do so. Obviously, the hon. Gentleman is a speed reader, or perhaps he started from the back of the report and worked his way to the front—we expect that sort of thing from the hon. Gentleman.

Training in the private security industry is farcical. I shall not bore the House with details, but for most companies in the private security industry, training does not exist. Those companies that make an effort may provide a day's training, and companies belonging to the British Security Industry Association are obliged to provide three days' training. However, that obligation is not met by many of the BSIA's members. There are some good, specialised security firms that lay on higher standards of training, but they are the exception. Training is expensive and if companies are in competition, they cannot win against another private security firm that does not attach great importance to training.

The private sector will not try to attain the standards required, because the remand prisons' guards, operatives and security officers will require the same standard of expertise as exists in the prison service today. Will the Home Secretary lay down standards and insist on the private sector attaining those standards? The Home Secretary must be aware that it will be enormously expensive to achieve those standards, and if contracts are let, that must be built into the calculation. I fear that training is so inadequate that companies will fail to achieve any standard that might be set.

The amendment also seeks to establish standards that would enable the private sector to recruit intelligently. That does not simply mean keeping out people with serious criminal records—the negative approach to recruitment. We want the private security industry to be a sufficiently attractive career with a suitable salary to attract the right calibre of men and women to serve in it. Remand prisons need high-calibre recruits. We do not want—as happens in other parts of the private sector security industry—to recruit from the bottom end of the market and impose on those recruits standards that they cannot achieve.

I have not the slightest shadow of doubt that the overwhelming majority of private security firms do not have vetting procedures. As I said in Committee, all that firms want to know is whether the body is warm and can start work the following day. New recruits are then measured up for uniforms and placed in a job the following day or, in many cases, the same day. Many firms do not even go through the pretence of checking references. Better companies have telephone communications systems that can trace back five years in an attempt to contact employers. They then try to trace back a further 15 years by writing to previous employers, but that takes weeks. It is an imperfect system that does not work.

The Government say that they will adopt a system of certification that is better than the hit-and-miss system operated by many firms in the industry at present. It is still

to some extent, although less than in the past, a nudge, nudge, wink, wink approach whereby crime prevention officers are approached or former police officers are on the payroll to give some sign whether the person being hired has a criminal record. That is an appalling way to proceed. What I dislike about the system of certification is that it will be bestowed upon a handful of companies and the rest will have to worry for themselves. We need a system in which all private security firms have access to necessary information, with appropriate safeguards. The Government do not support that view.

Mr. Rupert Allason (Torbay): Does the hon. Gentleman agree that the situation in Northern Ireland is comparable to the one that he suggests in which security firms must be authorised by local authorities?

Mr. George: The hon. Gentleman is absolutely correct. The one precedent in the United Kingdom is in Northern Ireland, and it approaches the licensing system that I have been trying to achieve without success. There are precedents in most other countries. It is a matter of some amusement, although it is probably more likely a matter of considerable anger—a combination of motives—why the Government refuse to do what should be done, and establish a statutory licensing authority to vet applicants and companies and lay down minimum standards. As I have said many times, there is anxiety that there are too many people with serious criminal records in the private security industry. In a leaked report two years ago, chief police officers clearly pointed out that problem.

The private security industry has low status and low pay and it is held in low esteem by the police and the public. Its staff turnover is enormous. Lucky companies have a 100 per cent. turnover a year and the bad ones have a 450 per cent. or 500 per cent. turnover a year. Men and women work for £2 an hour, taking home £70 to £80 a week, and they may work 70, 80 or even more hours for the privilege of taking home barely a living wage.

The companies that apply for contracts within that sector will not be the poor companies; they will be the better ones. However, the deficiencies inherent in the weaker, smaller and imperfect companies also tar the better companies. There are not two systems of private security in this country, there is one system, and it is bad and needs to be improved. There is the complacent view that the rubbish firms will not apply for contracts in private prisons and that it will be blue riband companies, building consortia and security firms. Who knows, an American company closely linked to Kentucky Fried Chicken may apply. Who knows what companies are likely to apply? I cannot accept that such companies are different from the rest. The whole system stinks, and it needs to be altered.

The Government are pursuing an important experiment. At least they can partially rescue the system. Ministers have given me some assurances, and I am grateful for them. I hope that, if the system is introduced, certain safeguards will be built in. I do not think that the Government have great confidence in what they propose, because of the many safeguards that they are building into the system. My hon. Friend the Member for Huddersfield referred to the "flying governor". The Home Office does not have much confidence in the private sector. That is why a Home Office governor can be parachuted in to pick up the pieces should the system fail. There will be the commissariat system in which the Home Office employee will parallel the private sector manager.

There are many other safeguards. Therefore, I am not quite as alarmed as I was when I initially read the legislation. The system could be partially retrieved if only the Home Office were prepared to lay down rigorous standards. I hope that the lessons that the Government learn from this legislation will eventually lead them to introduce a full-blown system of private security regulation. My criticism is not necessarily of the private security industry but of the system within which it is permitted to operate.

Mr. Sheerman: It is always a pleasure to follow my old friend the hon. Member for Walsall, South (Mr. George). He is such an acknowledged expert in this matter that it is with a sense of humility that I support his amendment. We know of his vast knowledge of the matter, but I should like to make one small correction. My hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) was worried that his only legacy to posterity in Committee would be the coming of the phrase "the flying governnor". He wanted it put on record that it was not "the flying warden".

9.15 pm

The amendment attempts to introduce regulation of the private security industry, and that is why we support it. It is an immensely important amendment. I should describe the Governments' lack of recommendations as a black hole. I give credit where credit is due—the two Ministers of State did a pretty good job on the brief, but on this matter, they failed to convince. One could see them hovering around, worried about falling into the black hole when we pressed them to say how they would control the private security contractors if there were no standards or regulations.

They had no answers to the questions put by the great authority on the Committee, my hon. Friend the Member for Walsall, South; they had no answers when we pressed them from the Front Bench. The Government have no way of controlling what would happen if the private sector were allowed a free rein even in the small element of the private remand sector, let alone in an expanded sector.

Last week, I received a telephone call from a reporter who had got hold of a story—I do not know whether it is true—that the Ministry of Defence was talking about arming the private security people who guard our defence installations. We must make absolutely sure that our defence establishments are secure from terrorist and other attacks. If the Ministry of Defence, with all its security, cannot get it right and ensure that standards are high and that a level of competence is delivered by the contractor at the agreed price, what hope is there that the Home Office will get it right in relation to imprisonment? There are very real problems.

This is an immensely important issue. The Opposition fundamentally oppose the introduction of privatised prisons, but if they are to be introduced, far more effective mechanisms are needed to regulate the private security industry. Clause 71 and schedule 8 are not sufficient protection.

I agree with my hon. Friend the Member for Walsall, South that much of the private security industry has an appalling record. That does not apply to all companies; they are not all tarred with the same brush. There are some

acceptable and reputable companies, but the industry is huge, employing 150,000 or perhaps 200,000 people—twice as many as the regular police force. There is a notorious lack of vetting of staff, derisory training of employees and appalling levels of pay. There are no minimum standards.

However, in a competitive free-for-all, the bad companies affect the good. Bad companies with non-existent training and the lowest levels of pay put in the lowest bids, which undercut those of their more reputable counterparts. To obtain contracts, good companies are forced to reduce standards. How will Ministers stop shoddy companies replacing better companies?

I remember an occasion in Committee when we were discussing our experience in local government. I gave the example of being forced by a particular piece of legislation —I cannot remember which Government introduced it —to start taking competitive tenders for all our housing contracts. What happened? Who saved money? Time and time again, we walked into a trap of accepting the lowest tender from a fringe builder who went bankrupt halfway through the job. We had to get someone else in to finish the work. That is what happens with competitive tendering.

One has only to look at the experience of the Ministry of Defence to see the dangers involved. For years, the Opposition have argued that the private security industry must be properly regulated, and that self-regulation will not do. We need a system allowing for minimum standards of training and, in the case of prisoner custody officers, we would expect that training to be very rigorous. We need a proper vetting system and adequate wages. One does not get quality unless one pays a decent wage.

On 31 January, when we discussed the matter in Committee, the Minister said:

"I am interested in all the hon. Gentleman's comments. I shall seriously consider what he said and try to ensure that we have the right standards and protection to deal with private sector contractors. We shall examine the circumstances carefully so as to protect the interests of the public and of the Government and Home Secretary of the day."—*[Official Report, Standing Committee A; 31 January 1991, c. 611.]*

What conclusions has the Minister reached? What titbits has she hidden away? If she does not accept the amendment, the Bill will go to the other place with no provision for control over who runs the private sector side of the operation. This is a dangerous part of the Bill. Without control, private security has no future in which any of us can have confidence.

Mrs. Rumbold: I was sad to hear the hon. Member for Walsall, South (Mr. George) say that he could not give us one of his long and discursive speeches about private security. I enjoyed them very much in Committee, and I was looking forward to another episode.

Mr. Michael: An epic.

Mrs. Rumbold: Yes, an epic. I have great respect for the hon. Gentleman's knowledge of these matters, to which the hon. Member for Huddersfield (Mr. Sheerman) referred, and I understand the concerns that he expressed in arguing for the amendment.

We discussed the matter at considerable length in Committee. As the hon. Member for Huddersfield and I have said before, clause 71 and schedule 8 provide for the certification of a prisoner custody officer. My right hon. Friend the Home Secretary will have to be satisfied that a prospective prisoner custody officer is a fit and proper person to perform the relevant functions and—most important—that he has been trained to an approved standard before he gains such a certificate. That is an exceedingly important measure, which I wholeheartedly support.

In addition, there is another provision to ensure proper protection for those who undertake such important tasks: the contractors themselves will use selection procedures. If, at any point, it turns out that a prison custody officer is not a fit and proper person, the Secretary of State will have the opportunity to revoke a certificate. If an unsuitable person should, by any remote chance, slip through the net, that will reflect upon the contractor who employed him or her.

It has always been clearly understood that, if any aspect of the prison custody service is contracted out, accountability in respect of public safety and for the way in which prisoners are treated will in no way be diminished. As I said several times in Committee, that is very important. The responsibility will continue to be discharged, albeit in a different way. Accountability remains, simply because the Home Secretary could not afford to place the prisoners in the custody of people who are not totally respectable and reliable.

There is no question of the Home Secretary allowing less than satisfactory firms to be responsible for employing those who will carry out prisoner custody tasks. The companies that we have come across up to now have all been major long-established companies with high reputations. I do not believe that my right hon. Friend would wish to deal with any companies other than those with the highest qualifications.

Mr. Sheerman: That is exactly the point that I was addressing. The first issue is how we can decide on the standards and the criteria. What is the mechanism and the structure? Who will authenticate the process and ensure that certification works and delivers? Secondly, does not the right hon. Lady realise that, once we are involved in competitive tendering, it will no longer be the reputable, the nice or the quality people whose names will come across her desk, because once she starts to exclude people on competitive tendering grounds, she will find that she has involved both herself and the Government in a civil court action that will open the door to all the other people —rightly, in civil legal terms—and she will be forced to take all comers?

Mrs. Rumbold: The hon. Member for Huddersfield is recalling his local government days, when we contracted out repairs on council houses. That was one of the first areas of local government work in which the private sector became involved. Of course, everyone who wished to had a perfect right to tender for those contracts and nobody is saying that that would not necessarily be the case here. However, what happened in local government—I am confident that this is what will happen in this case, building on the experience of local government—is that all firms will be looked at carefully to ensure that they comply with all the requirements.

As was the case with local government, the cheapest firm is not necessarily always chosen now. Some local authorities, however, did not take responsibility for ensuring that their ratepayers got the best value for money. When considering firms for private sector contracts, it was, and is, important to ensure that the best services—the

most cost-effective and the most efficient services—were chosen and they were not necessarily always from the cheapest contractors.

My right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) well knows what happened in local government, because he too has experience in that world, and he knows perfectly well that it is important to choose quality as well as the lowest price.

Mr. Allason: Does my right hon. Friend agree that there is a difference between mending windows for a local authority and looking after prisoners? Does she accept that there is a contradiction between the Government's determination to regulate and to authorise security firms in Northern Ireland and their determination not to do so for the rest of the United Kingdom?

Mrs. Rumbold: Of course contracting out local government services is different. Nevertheless, local government serves a useful purpose when drawing an analogy with the kind of contracts that we are looking at for the prison service, and I prefer to keep to that analogy for the time being.

On the issue of public safety and the way in which prisoners are treated, the Home Secretary will also need to be satisfied that the contractors have the necessary financial backing and management resources to take on such contracts. Large sums of money will be involved. We are talking about multi-million-pound contracts, which will certainly be beyond the reach of any of the so-called "fly-by-night" firms about which the hon. Members for Huddersfield and for Walsall, South have great concern.

Having reconsidered these arguments and aired them yet again—we discussed them thoroughly in Committee, when I undertook to ascertain whether we could go further than we had at that stage to meet hon. Members' concerns—I hope that what I have said reaffirms that we have done that. I can give an undertaking that we shall be very open about the standards required of contractors, especially in respect of training, about which I know full well the hon. Member for Walsall, South is particularly concerned. I too regard training as an important issue. When we come to consider what should be required for certification and the work that the contractors must carry out, we shall certainly give very careful consideration to what Woolf has to say.

9.30 pm

Mr. George: Despite the assurances that have been given, I feel that this amendment should be put to the vote.

Question put, That the amendment be made:—

The House divided: Ayes 185, Noes 263.

Division No. 80] **[9.30 pm**

AYES

Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beggs, Roy
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Benton, Joseph
Bidwell, Sydney
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Lambie, David
Leadbitter, Ted
Leighton, Ron
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
O'Hara, Edward
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David

Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Robert N. Wareing.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Colvin, Michael
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forman, Nigel
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Knox, David
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Sir Ian *(Havant)*
Lyell, Rt Hon Sir Nicholas
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Tim Boswell.

Question accordingly negatived.

Amendment made: No. 118, in page 43, leave out lines 25 to 28 and insert—

'(4) The Secretary of State may by order made by statutory instrument provide that this section shall have effect as if there were omitted from subsection (2) above either—

(a) paragraph (a) and the word "and" immediately following that paragraph; or

(b) paragraph (b) and the said word "and" or

(c) the words from "which", in the first place where it occurs, to the end of paragraph (b).

(5) No order shall be made under subsection (4) above unless a draft of the order has been laid before and approved by resolution of each House of Parliament.'.—*[Mr. John Patten.]*

Clause 67

OFFICERS OF CONTRACTED OUT PRISONS

Mr. Randall: I beg to move amendment No. 104, in page 43, line 35, at end insert

(; and (c) a monitor, who shall be a crown servant, appointed by the Secretary of State.'.

Mr. Speaker: With this it will be convenient to take the following amendments: No. 105, in page 43, line 41, after 'director', insert 'or monitor'.

No. 106, in page 44, line 5, leave out 'controller' and insert 'monitor'.

Mr. Randall: The purpose of this amendment is simple. We are concerned about the position of the controller as defined in the Bill. We understand that the controller is to exercise disciplinary power at the same time as he is to report to the Secretary of State on the running and administration of the prison. Although we are happy that a Crown servant, the controller, rather than the private director, will exercise disciplinary powers, we believe that he should not at the same time report to the Secretary of State on the running and administration of the system. In reality, he would be reporting on himself, since the exercise of disciplinary powers is integral to the running of the prison.

9.45 pm

The amendment separates the two functions by introducing a monitor who is responsible for reporting to the Secretary of State on the day-to-day running of the prison, including the activities of the controller, who is simply there to exercise his disciplinary powers—no more, no less. We believe that such a separation of functions represents the appropriate way in which to proceed. It is wrong in principle for the controller to report, in part on his own activities.

Mrs. Rumbold: I listened with interest to the hon. Member for Kingston upon Hull, West (Mr. Randall). I am a little surprised at his argument for splitting the controller's duties, because I was under the impression that the hon. Gentleman believed that having a controller in the private sector represented an additional responsibility that did not exist in the public sector. I am therefore surprised to learn that he now proposes that we should have not only two people, a director and a controller, but a third person. I am not convinced of the logic of that argument.

I do not want to be unkind to the hon. Gentleman, but his suggestion for splitting responsibilities between the controller and a monitor is rather superfluous. His amendment is unnecessary and I have little sympathy for it.

The amendment does not add anything to the responsibilities of a controller, who I believe is the adequate person to monitor the work of a private sector prison in co-operation with the director, but with direct responsibility to the Home Secretary. I cannot accept the amendment.

Mr. Randall: I listened with interest to what the Minister said about what we consider to be a dilemma in the reporting structure, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 76

CASH LIMITS FOR PROBATION SERVICES

Mr. Michael: I beg to move amendment No. 92, in page 50, line 16, leave out paragraph (a).

The amendment would delete paragraph (a), which amends the Powers of Criminal Courts Act 1973. That paragraph removes the obligation to provide "sufficient probation officers" and in its place it substitutes the words, "such number of probation officers as may be agreed between them and the responsible authority to be a sufficient number of such officers".

If the Bill goes through as it stands, it will require the probation committee and the local authority to come to an agreement on the number of probation officers needed——

Mr. John Greenway: On a point of order, Mr. Speaker. I know that we all have difficulty following the order of amendments when dealing with such a technical——

Mr. Speaker: Order. I know what the hon. Gentleman is about to say. I have just been told that the hon. Gentleman's amendment was accepted. I was going to put it at the end of this debate, but since the hon. Gentleman has raised the matter now, I shall put the amendment formally with my apologies.

Clause 74

INTERPRETATION OF PART IV

Amendment made: No. 119, in page 47, leave out line 8. —*[Mr. John Greenway.]*

Mr. Michael: The Minister appears to have been consumed by the confusion and was not listening, so I shall start again.

The amendment is intended to straighten out an anomaly in the Bill, in which we find the curious suggestion by the Government that words in the 1973 Act which show a need to have sufficient probation officers in an area should be substituted by a requirement for a probation committee to agree with the local authority the number of officers required in an area. That is nonsense.

I approach the matter with some neutrality, having been chairman of a local authority finance committee and a member of a probation committee—so I can claim to be well informed. My information leads me to suggest that the Bill is nonsense as it stands.

Under the new regime that we have, partly as a result of the Bill and partly as a result of developments initiated by the Minister and his colleagues, the Home Office will decide the finances needed within a formula for a particular probation area. The Home Office will offer advice on the numbers required. The Home Office will determine 80 per cent. of the finances in any event, and the local authority will have to fall into line. In any case, the local authority discusses the budget with the probation committee year by year, and will continue to do so.

The Central Council of Probation Committees understood, following discussions with the Home Office Ministers and officials, that, once cash limits were set, as they will be in future, on probation committee budgets, committees will have the discretion to determine their own priorities and resource needs, including staffing, within the budget and subject to all the other restrictions. For instance, there will be regular Home Office inspections,

[Mr. Michael]

including a study of staffing levels in probation committees, which are accountable in Home Office statistics and in their own annual reports.

Our amendment seeks to delete the requirement in paragraph (a) because it is at best meaningless and at worst a recipe for pointless disagreement between probation committees and local authorities. It appears to give some control to local authorities, but in fact it does no such thing. If the Minister wants to delete the words "sufficient probation officers" from the 1973 Act, let him admit as much and do. I have had private conversations and I have corresponded with the Minister on these matters, and I am a little disappointed that the provision is still in the Bill at this stage. I had hoped that the Minister would have moved a Government amendment by now to dispose of the problem.

In Committee, the Minister suggested that subsection 76(2) did not change the role of local authorities or of committees, but that is precisely what it does and why it is necessary to remove it from the Bill. It is a drafting mistake, and even at this late stage I urge the Minister to listen to the voice of reason as well to the voice of experience in the form of the Central Council of Probation Committees and other bodies. He has made a mistake; he should accept that he has and tidy up the Bill.

Sir Anthony Durant (Reading, West): I have had some difficulty finding a point at which to intervene today, and I am slightly off course in the debate on this amendment —except in so far as it relates to probation officers.

Probation officers in my constituency have been to see me, anxious about their role in the probation service. They believe that the Bill may damage their role with their clients. They fear that they will be allocated the judicial role of punishment rather than the remedial role of helping their clients.

I hope that the Minister will reassure me that probation officers' vital role will be carefully considered and that, when dealing with clients, they will not be allocated a role strictly to do with punishment at the expense of the remedial side of their work.

Mr. John Patten: I assure my hon. Friend the Member for Reading, West (Mr. Durant) that the Government envisage a careful expansion in the probation service until the financial year 1993-94. The autumn statement provides a useful background for the amendment. It proposes the introduction of more than 800 new probation officers over the next three years—the biggest single injection of officers of both sexes that has ever occurred—as well as a 25 per cent. increase in overall expenditure on the probation service in the years up to 1993-94, taking inflation into account: the biggest single cash increase that the service has ever received.

We want the probation service to change its present role. We want it to develop its considerable skills in confronting offending behaviour and making offenders face up to what they have done, so that they do not do it again. That means exercising control as well as care—caring authority, as it were. Vigorous, forward-looking bodies such as the Association of Chief Officers of Probation, and that valuable organisation, the National Association of Senior Probation Officers, are already gearing themselves up to the task.

My hon. Friend's Reading constituency faces a challenge. I value the work of the probation service in Berkshire: under its excellent chief probation officer, it is one of the best probation services in the country. It will have formidable opportunity to do what probation officers do best—stop people offending again.

I have invested a good deal of time in arguing, in Committee and in the corridors, with the hon. Member for Cardiff, South and Penarth (Mr. Michael) about clause 76 and the issue that he has raised tonight. I pay tribute to the knowledge that he has acquired, both as the former chairman of a council finance committee and as one who has served in other parts of the criminal justice system. The trouble is that he and I cannot agree on the meaning of words. Sometimes, however much we respect someone else's judgment, we must agree to disagree. The hon. Gentleman and I have engaged in a lengthy correspondence: our word processors have been at it hammer and tongs over the past three or four weeks. I intend to place in the Library the full correspondence, complete with marginalia, so that posterity can judge which of us was right.

The intention of clause 76(2) is not to usurp the role of committees in deciding how many probation officers are needed, but simply to allow local authorities to object to expenditure on them, and to allow either the committee or the local authority, in default of agreement, to seek a determination from the Secretary of State. The subsection is necessary to prevent the cash limit from becoming de facto a precept on the paying authority. Thus expenditure on probation officers will be brought into line with existing arrangements relating to other items of current expenditure.

Local authorities are already able to object to many other items of expenditure in committees' estimates—on a range of non-probation officer staff issues, on accommodation and on equipment. There seems to be no good reason for continuing to single out expenditure on probation officers for special treatment when they now add up to only about half the staff in the probation service.

I disagree with the hon. Gentleman's interpretation of the Bill. Clause 76 is extremely well drafted, as are all the rest. My interpretation is absolutely clear, and the amendment—well-meaning though it is—would not improve it in any way.

Mr. Michael: The hon. Member for Reading, West (Sir A. Durant) made a valid point. I am glad that he used the excuse of the amendment to mention the work of probation officers. From my knowledge of their work, I agree with his comments. He led the Minister astray a little into commenting on the probation service in general, but who can blame him for that? The problem is simple—the Minister is wrong.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Criminal Justice Bill may be proceeded with, though opposed, until any hour.—*[Mr. Boswell.]*

Question again proposed, That the amendment be made.

Mr. Michael: For one moment, I thought that you, Mr. Speaker, had intervened on my suggestion that the Minister was wrong. I realise now that you were not questioning that.

The Minister is wrong to say that paragraph (a) is necessary to ensure that the cash limit does not become a

precept. A local authority must agree the budget with the probation committee. It is not, as the Minister suggested, a question of agreeing expenditure on probation officers, which is already provided for in the agreement on the budget. The paragraph says that the local authority must agree the number of people that the probation committee will employ.

I am afraid that the Minister, despite the considerable good will that he has shown my efforts to persuade him that he is wrong, has got it wrong yet again. I am delighted that he is to place our correspondence in the Library so that the great British public and hon. Members will be able to read both sides of our exchanges and realise that amendment No. 92 is correct. I beg to ask leave to withdraw the amendment, so that the other place can agree it.

Amendment, by leave, withdrawn.

Clause 77

INFORMATION AS TO FINANCIAL IMPLICATIONS OF DECISIONS

Mr. John Patten: I beg to move amendment No. 100, in page 51, line 10, after 'of', insert '—(a)'.

Mr. Speaker: With this, it will be convenient to consider Government amendments Nos. 101 and 102.

Mr. Patten: I remind the House that, when the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) moved new clause 4 last Wednesday, which was defeated on a Division, I said that the Government were bent on tabling their own amendments to achieve the same ends, to introduce matters of gender and race and to make clear the importance of avoiding discrimination in the criminal justice system. I commend the amendments to the House.

Mr. Sheerman: We welcome the Government's decision to make this little concession on race. Amendment No. 101 allows for ethnic monitoring not only of court decisions but of persons engaged in the administration of justice.

Amendment No. 101 refers to sex discrimination. We should recognise our important achievement in persuading the Government to act. We are having our cake and eating it again, but we are pleased that we pushed them sufficiently to make them go away and think about it.

It is important, however, to stress that the amendment goes only a little way towards achieving our objective. The anti-discrimination statement which we unsuccessfully tried to incorporate in the Bill is important. In the debate last week, the Minister generously agreed to meet a deputation, including hon. Members from both sides of the House, and to discuss over a cup of tea——

Mr. Patten: The kettle is always boiling.

Mr. Sheerman: If the kettle is always boiling, will the Minister see a deputation from the black lobby, who are concerned to put their case on the need for a declaratory clause?

Mr. Patten: I often see representatives of the ethnic minority groups and have done so throughout my years at the Home Office. I have seen the black lawyers and others, but if the hon. Gentleman wishes to bring another group as part of an all-party delegation to discuss the issues, the kettle is on the hob.

Mr. Sheerman: I am grateful to the right hon. Gentleman for the willingness that he has shown. Several people are involved, such as those associated with the Church and those associated with the law. It would not be an unmanageable delegation. Those people have asked me to put this case. As the right hon. Gentleman knows, last week the community and race relations unit of the British Council of Churches pointed out the need for a declaratory clause and stressed the importance of a statutory commitment in making the position plain to minority communities.

Mr. Patten: I have written to that body to discuss these issues directly, and have been in communication by correspondence with several organisations.

Mr. Sheerman: I thank the right hon. Gentleman. Now that he has accepted the point about a deputation coming for tea to talk about the importance of this issue, I believe that it will not be too late in another place to put that provision into the Bill. We debated this matter in Committee. The right hon. Gentleman was not entirely persuaded, but he went halfway. This declaration would reaffirm some positive elements in people's views on what the criminal justice system is like.

The Minister knows that what people feel about the criminal justice system is important. If I may draw a parallel with the fear of crime, it is important to affirm to people that the fear of crime is much greater than the reality. In the same way, we believe that it is important to affirm to ethnic minorities that the reality of racism in the criminal justice system is not so great as it is believed by their communities to be. The declaratory aspect of the Bill would go a long way to reassuring them. I accept that the Minister will keep a relatively open mind on that issue.

Amendment agreed to.

Amendment made: No. 101, in page 51, line 12, at end insert

'or

(b) facilitating the avoidance by such persons of discrimination against any person on the ground of race or sex or any other improper ground.'.—*[Mr. John Patten.]*

Clause 84

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendments made: No. 22, in page 52, line 33, leave out '20(1)'.

No. 21, in page 52, line 34, at end insert

'; and section 20(1) above and, in so far as relating to the Criminal Procedure (Scotland) Act 1975, Schedule 11 to this Act extend to Scotland only.'.—*[Mr. John Patten.]*

New Schedule

PROVISIONS SUBSTITUTED FOR SECTION 15 OF 1965 ACT

Variation and discharge of supervision orders.

15.—(1) If while a supervision order is in force in respect of a supervised person it appears to a relevant court, on the application of the supervisor or the supervised person, that it is appropriate to make an order under this subsection, the court may make an order discharging the supervision order or varying it—

(a) by cancelling any requirement included in it in pursuance of section 12, 12A, 12AA, 12B or 12C or section 18(2)(b) of this Act; or

(b) by inserting in it (either in addition to or in substitution for any of its provisions) any provision

which could have been included in the order if the court had then had power to make it and were exercising the power.

(2) The powers of variation conferred by subsection (1) above do not include power—

(a) to insert in the supervision order, after the expiration of three months beginning with the date when the order was originally made, a requirement in pursuance of section 12B(1) of this Act, unless it is in substitution for such a requirement already in the order; or

(b) to insert in the supervision order a requirement in pursuance of section 12A(3)(b) of this Act in respect of any day which falls outside the period of three months beginning with the date when the order was originally made.

(3) If while a supervision order made under section 7(7) of this Act is in force in respect of a person it is proved to the satisfaction of a relevant court, on the application of the supervisor, that the supervised person has failed to comply with any requirement included in the supervision order in pursuance of section 12, 12A, 12AA, 12C or 18(2)(b) of this Act, the court—

(a) whether or not it also makes an order under subsection (1) above, may order him to pay a fine of an amount not exceeding £1,000 or subject to section 16A(1) of this Act, may make an attendance centre order in respect of him; or

(b) in the case of a person who has attained the age of eighteen, may (if it also discharges the supervision order) make an order imposing on him any punishment, other than a sentence of detention in a young offender institution, which it could have imposed on him if it—

(i) had then had power to try him for the offence in consequence of which the supervision order was made; and

(ii) had convicted him in the exercise of that power.

(4) If while a supervision order is in force in respect of a person it is proved to the court under subsection (3) above that the supervised person has failed to comply with any requirement included in the supervision order in pursuance of section 12A(3)(a) of this Act directing the supervised person to participate in specified activities, the court may, if it also discharges the supervision order, make an order imposing on him any sentence which it could have imposed on him if it—

(a) had then had power to try him for the offence in consequence of which the supervision order was made; and

(b) had convicted him in the exercise of that power:

(5) In a case falling within subsection (3)(b) or (4) above where the offence in question is of a kind which the court has no power to try, or has no power to try without appropriate consents, the sentence imposed by virtue of that provision—

(a) shall not exceed that which any court having power to try such an offence could have imposed in respect of it, and

(b) where the case falls within subsection (3)(b) above and the sentence is a fine, shall not in any event exceed £5,000; and

(c) where the case falls within subsection (4) above, shall not in any event exceed a custodial sentence for a term of six months and a fine of £5,000.

(6) A court may not make an order by virtue of subsection (4) above unless the court which made the supervision order made a statement under subsection (1) of sectiion 12D of this Act; and for the purposes of this subsection a certificate under that section shall be evidence of the making of the statement to which it relates.

(7) Section 16 of the Criminal Justice Act 1991 (fixing of certain fines by reference to units) shall apply—

(a) for the purposes of subsection (3)(a) above, as if the failure to comply with the requirement were a summary offence punishable by a fine not exceeding level 3 on the standard scale; and

(b) for the purposes of subsections (3)(b) and (4) above as if the failure to comply with the requirement were a summary offence punishable by a fine not exceeding level 5 on that scale;

and a fine imposed under any of those provisions shall be deemed for the purposes of any enactment to be a sum adjudged to be paid by a conviction.

(8) In dealing with a supervised person under subsection (3) or (4) above, the court shall take into account the extent to which that person has complied with the requirements of the supervision order.

(9) If a medical practitioner by whom or under whose direction a supervised person is being treated for his mental condition in pursuance of a requirement included in a supervision order by virtue of section 12B(1) of this Act is unwilling to continue to treat or direct the treatment of the supervised person or is of opinion—

(a) that the treatment would be continued beyond the period specified in that behalf in the order; or

(b) that the supervised person needs different treatment; or

(c) that he is not susceptible to treatment; or

(d) that he does not require further treatment,

the practitioner shall make a report in writing to that effect to the supervisor.

(10) On receiving a report under subsection (9) above, the supervisor shall refer it to a relevant court; and on such a reference, the court may make an order cancelling or varying the requirement.

(11) In this section "relevant court" means—

(a) in the case of a supervised person who has attained the age of eighteen, a youth court;

(b) in the case of a supervised person who has attained the age, a magistrate's court other than a youth court.

(12) The provisions of this section shall have effect subject to the provisions of section 16 of this Act.'.—*[Mr. John Patten.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 1

Amendments of 1973 Act

Amendments made: No. 23, in page 56, line 24, leave out from 'unless' to end of line 29 and insert—

'(a) it has consulted a probation officer; and

(b) it is satisfied that it is feasible to secure compliance with the requirement.'.

No. 24, in page 56, line 46, leave out 'probationer' and insert 'offender'.

No. 25, in page 57, line 42, at end insert—

'Extension of requirements for sexual offenders

'3A.—(1) If the court so directs in the case of an offender who has been convicted of a sexual offence—

(a) sub-paragraphs (4) and (6) of paragraph 2 above; and

(b) sub-paragraph (3) of paragraph 3 above,

shall each have effect as if for the reference to 60 days there were substituted a reference to such greater number of days as may be specified in the direction.

(2) In this paragraph "sexual offence" has the same meaning as in Part I of the Criminal Justice Act 1991.".

No. 26, in page 59, line 4, leave out 'section 10' and insert 'that section'.—*[Mr. John Patten.]*

Mr. John Patten: I beg to move amendment No. 27, in page 59, line 8, leave out from 'satisfied' to 'his' in line 9 and insert—

'(a) that the offender is dependent on drugs or alcohol;

(b) that his dependency caused or contributed to the offence in respect of which the order is proposed to be made; and

(c) that'.

Mr. Speaker: With this it will be convenient to consider Government amendments Nos. 28 to 34.

Mr. Patten: The amendments make two substantive changes to the provisions in schedule 1 on the treatment for drug and alcohol misuse. Those changes were recommended to me by the Advisory Council on the Misuse of Drugs criminal justice working group and were pressed on me powerfully by my hon. Friend the Member for Warrington, South (Mr. Butler). I commend the amendment to the House.

Mr. Butler: The Government have proved themselves a listening Government in this respect, but I can give them only eight marks out of 10 for the amendment. In Standing Committee I referred to the use of "dependence" and "dependent". The Government seem to be trying to resolve the problem by including the definition of a propensity towards the misuse of drugs or alcohol within the definition of "dependence". I am not completely satisfied with that.

In 1982 the Advisory Council on the Misuse of Drugs recommended the use of the phrase "problem drug taker" rather than a range of terms including "drug dependent" or "drug addict". The advisory council on alcoholism recommended the use of the term "problem drinker".

If we do not use the terms "problem drinker" or "problem drug taker", a person may be excluded from treatment who does not use drugs or alcohol habitually, but who may use them regularly. Similarly, some people use stimulants only at the weekends. They might not be taken within the definition of drug-dependent, but they may nevertheless have a drug-related problem. Legislation should take into account the accepted terminology recommended by the Government's advisory bodies, accepted by the Government and which has formed the basis for the provision of treatment in the community.

With regard to amendment No. 32, I am not sure why sub-paragraph (5) appears in schedule 1. It is difficult to see what additional powers or authority it provides or why it is required. If there are additional grounds for its inclusion, it is not clear why it should apply specifically to residential provision. There is an argument that it should apply to any change in the treatment requirement, not just to one type of treatment.

I realise that I have made a technical point and I should be happy for my right hon. Friend the Minister to respond to me in writing. I suspect that my point about amendment No. 27 may be taken up in another place, failing satisfaction here.

Mr. Tim Rathbone (Lewes): I do not wish to detain the House on what other hon. Members must consider to be a small point. However, I endorse what my hon. Friend the Member for Warrington, South (Mr. Butler) said. My hon. Friend's point is extremely important in the context of drugs, which remain a tragic problem in our communities. The whole thrust of the Bill is absolutely in the right direction in advocating treatment rather than prison sentences. It is terribly important that we take to heart those points made by my hon. Friend the Member for Warrington, South.

I urge the Government to re-examine sub-paragraph (9) of amendment No. 32. That sub-paragraph seems to allow a combination order that would involve the imposition of a community service order for not less than 40 and not more than 100 hours in addition to the probation order, and a requirement to undertake treatment for problem drinking and drug taking.

The difficulty is that an individual with a drug problem has a very serious problem that requires treatment. The concentration should be on the supervision and completion of the specified treatment. There is a potential difficulty in undertaking a community service order because of that drug problem. For such an individual, finding appropriate service is likely to be extremely difficult.

That does not mean that it is not inappropriate to impose a combination order but it would be difficult to expect a combination order to be imposed that also had a treatment requirement attached to it.

Mr. Patten: I shall respond first to my hon. Friend the Member for Lewes (Mr. Rathbone), whose long-standing interest in and authority on these issues we all respect. We set great store by the combination order. It may be difficult and challenging for the probation service, and the voluntary organisations that sometimes assist it—to which I pay tribute—to find suitable community service for the particularly chaotic characters who are sometimes addicted to drugs and alcohol or who, from time to time, go on drug and alcohol binges, but who are not clinically dependent.

10.15 pm

It is important that people who are not trading in hard or soft drugs, but who are the unfortunate and sad misusers of those substances, receive some form of sanction or punishment to replace a prison sentence. I do not want such people to go to prison, any more than others do. I want drug offenders who trade and traffic in drugs to go to prison for a long time, and have their assets and those of their families confiscated. We must find a way of pursuing those assets beyond the grave if the defendants inconveniently die before convictions are brought.

It is critical for courts to have combination orders available to them to ensure that, when a sentence is handed down by the court, it means something to the offender and the community, and people do not effectively get away with breaking the law. I appreciate the points made by my hon. Friend the Member for Lewes.

As usual, my hon. Friend the Member for Warrington, South (Mr. Butler) made some interesting points. He wondered why paragraph (7) was included in schedule 1. It provides for

"the offender to receive part of his treatment as a resident patient in an institution or place notwithstanding that the institution or place is not one which could have been specified for that purpose in the probation order."

I can clear that up now without having to go to the unnecessary lengths of writing letters, although the matter may be examined in another place. There may be places that would not normally be specified in a probation order, to which we would want such people to be directed for treatment specifically linked to their condition, either as a dependent person or someone who indulges in what are known in the trade as alcoholic binges or drug abuse.

Amendments Nos. 27 and 33 enable a requirement to undergo treatment to be included in a probation order when an offender either is dependent on drugs or alcohol or has a tendency to misuse them. Everything does not hinge on dependency itself. That "either/or" policy must be linked to a contribution to the offence. At present, the criterion in schedule 1 refers simply to the defendant being dependent on drugs or alcohol. The amendments will deal

with the points made by my hon. Friend the Member for Warrington, South. I welcome the chance to answer his questions.

The amendments ensure that the requirement to undergo treatment is used only when the misuse of drugs or alcohol is directly related to the offence. That will cover cases where the person was not clinically dependent on alcohol—hence the debate over the use of "dependence" —but had indulged in a drinking binge that led to the commission of crime.

I hope that the House will feel able to accept the amendments after my clarification of those points.

Amendment agreed to.

Amendments made: No. 28, in page 59, line 14, leave out

'duly qualified medical practitioner'

and insert

'person having the necessary qualifications or experience'.

No. 29, in line 18, leave out 'patient'.

No. 30, in line 20, leave out 'patient'.

No. 31, in line 22, leave out

'duly qualified medical practitioner'

and insert

'person having the necessary qualifications or experience'.

No. 32, in line 26, leave out sub-paragraph (4) and insert—

'(4) A court shall not by virtue of this paragraph include in a probation order a requirement that the offender shall submit to treatment for his dependency on drugs or alcohol unless it is satisfied that arrangements have been made for the treatment intended to be specified in the order (including arrangements for the reception of the offender where he is to be required to submit to treatment as a resident).

(5) While the offender is under treatment as a resident in pursuance of a requirement of the probation order, the probation officer responsible for his supervision shall carry out the supervision to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

(6) Where the person by whom or under whose direction an offender is being treated for dependency on drugs or alcohol in pursuance of a probation order is of the opinion that part of the treatment can be better or more conveniently given in or at an institution or place which—

(a) is not specified in the order; and

(b) is one in or at which the treatment of the offender will be given by or under the direction of a person having the necessary qualifications or experience.

he may, with the consent of the offender, make arrangements for him to be treated accordingly.

(7) Such arrangements as are mentioned in sub-paragraph (6) above may provide for the offender to receive part of his treatment as a resident in an institution or place notwithstanding that the institution or place is not one which could have been specified for that purpose in the probation order.

(8) Where any such arrangements as are mentioned in sub-paragraph (6) above are made for the treatment of an offender—

(a) the person by whom the arrangements are made shall give notice in writing to the probation officer responsible for the supervision of the offender, specifying the institution or place in or at which the treatment is to be carried out; and

(b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the probation order.

(9) The provisions of this paragraph shall apply in relation to a probation order made or amended by virtue of section 10 of this Act only so far as indicated in subsection (3) of that section, and except as provided by this paragraph or that section a court shall not include in a probation order a requirement that the offenderr shall submit to treatment for his dependency on drugs or alcohol.

(10) In this paragraph the reference to the offender being dependent on drugs or alcohol includes a reference to his having a propensity towards the misuse of drugs or alcohol, and references to his dependency on drugs or alcohol shall be construed accordingly.'.—*[Mr. John Patten.]*

Schedule 2

Enforcement Etc. of Community Orders

Amendments made: No. 41, in page 61, line 14, after 'him' insert—

'(bb) where the relevant order is a probation order and the case is one to which section 17 of the 1982 Act applies, it may make an order under that section requiring him to attend at an attendance centre;'.

No. 33, in page 65, line 7 at end insert—

'(3) in this paragraph and paragraph 14 below, references to the offender's dependency on drugs or alcohol include reference to his propensity towards the misuse of drugs or alcohol.'.

No. 34, in line 9 after 'practitioner', insert 'or other person'.—*[Mr. John Patten.]*

Schedule 3

Increase of Certain Maxima

Amendments made: No. 42, in page 66, line 36 leave out from beginning to end of line 11 on page 66.

No. 43, in page 69, line 8, column 1 leave out '15(2A)' and insert '15(3)(a)'.

No. 44, in page 69, line 8, column 2 leave out '£200' and insert '£1,000'.

No. 45, in Page 69, line 10, column 1 leave out '15(4) and (4B)' and insert '15(5)(b) and (c)'.

No. 46, in page 69, line 10, column 2 leave out '£1,000 and'.

No. 47, in page 70, line 3 leave out paragraph 1.—*[Mr. John Patten.]*

Schedule 5

Notices of Transfer: Procedure in Lieu of Committal

Amendment made: No. 120, in page 75, line 39, at end insert—

'Avoidance of delay

6A.—(1) Where a notice of transfer has been given in relation to any case—

(a) the Crown Court before which the case is to be tried; and

(b) any magistrates' court which exercises any functions under paragraphs 2 or 3 above or section 20(4) of the Legal Aid Act 1988 in relation to the case,

shall, in exercising any of its powers in relation to the case, have regard to the desirability of avoiding prejudice to the welfare of any relevant child witness that may be occasioned by unnecessary delay in bringing the case to trial.

(2) In this paragraph "child" has the same meaning as in section 43 of this Act and "relevant child witness" means a child who will be called as a witness at the trial and who is alleged to be a person against whom the offence was committed or to have witnessed its commission.'.—*[Mr. John Patten.]*

Schedule 9

Minor and Consequential Amendments

Amendments made: No. 48, in page 81, line 34, at end insert—

'5A. In section 12D(1)(ii) of the 1969 Act (duty of court to state in certain cases that requirement is in place of custodial

sentence), paragraph (a) shall cease to have effect and for paragraph (c) there shall be substituted the following paragraph—

"(c) the offence of which he has been convicted, or the combination of that offence and one other offence associated with it (within the meaning given by section 1(7) of the Criminal Justice Act 1991), was so serious that only a supervision order including such a requirement of a custodial sentence can be justified for the offence;".

No. 121, in page 81, leave out lines 35 to 40.

No. 50, in page 81, line 40, at end insert—

'6A.—(1) In subsection (4) of section 16 of that Act (provisions supplementary to section 15), for the words "a court" there shall be substituted the words "a youth court".

(2) In subsection (6)(b) of that section, for the words "subsection (5)" there shall be substituted the words "subsection (10)".

(3) In subsection (10) of that section, for the words "paragraph (b) of subsection (2A) and paragraph (a) of subsection (4)" there shall be substituted the words "paragraph (a) of subsection (3)".

(6B).—(1) In subsection (1) of section '6A of that Act (application of sections 17 to 19 of the 1982 Act), for the words "section 15(2A)(b) and (4)(a)" there shall be substituted the words "section 15(3)(a).

(2) In subsection (2) of that section, for the words "each of those paragraphs" there shall be substituted the words "section 15(3)(a) of this Act".'.

No. 122, in page 83, line 8, at end insert—

'(2) In paragraph 8(1) of that Schedule, after the words "any person" there shall be inserted the words

"and to make reports on such matters".'.

No. 51, in page 84, line 5, leave out 'In section 143(2)' and insert

'.—(1) In subsection (2) of section 143'.

No. 52, in page 84, line 6, leave out from 'provisions)', to end of line 7 and insert

'paragraph (i) shall cease to have effect and after paragraph (o) there shall be inserted the following paragraph—

"(p) section 48(2) and (3) of the Criminal Justice Act 1991 (recognizance from parents or guardians);".'.

No. 53, in page 84, line 7, at end insert—

'(2) For subsection (3) of that section there shall be inserted the following subsection—

"(3) In subsection (1) above the 'relevant date' means—

(a) the date of the coming into force of section 15 of the Criminal Justice Act 1991 (increase of certain maxima); or

(b) where the sums specified in a provision mentioned in subsection (2) above have been substituted by an order under subsection (1) above, the date of that order.".'.—*[Mr. John Patten.]*

Schedule 10

TRANSITIONAL PROVISIONS AND SAVINGS

Amendment made: No. 54, in page 88, line 43 at end insert—

'Attendance centre orders

12A.—(1) Section 51(4) of this Act shall not apply in relation to pre-existing failures to attend in accordance with an attendance centre or pre-existing breaches of rules made under section 16(3) of the 1982 Act.

(2) In this paragraph "pre-existing" means occurring or committed before the commencement of section 51(4) of this Act.'.—*[Mr. John Patten.]*

Schedule 11

REPEALS

Amendments made: No. 55, in page 90, column 3 leave out lines 7 to 9 and insert—

'In section 7, in subsection (7), the words "is found guilty of homicide" and paragraph (c), and subsection (7B) and (7C).'.

No. 56, in page 90, line 11, column 3 at end insert—

'Section 12D(1)(ii)(a).'.

No. 123, in page 90, line 11, column 3, at end insert—

'In section 12AA, subsections (7), (8) and (12).'

No. 35, in page 90, line 54, at end insert—

'1975 c. 21	The Criminal Procedure (Scotland) Act 1975	In section 403, the proviso to subsection (4); and in subsection (6) the words "the proviso to subsection (4) of this section shall not apply, but".'.

No. 57, in page 90, line 55, column 3, at end insert—

'In Schedule 12, in the entry relating to the Children and Young Persons Act 1969, paragraph 3.'.

No. 58, in page 91, line 5, column 3, at end insert—

'Section 37(1A).'.

No. 59, in page 91, line 9, column 3, at end insert—

'Section 143(2)(i).'.

No. 60, in page 91, line 19, column 3, at end insert

'In section 18(6)(b), the words from the beginning to "residence".'.

No. 61, in page 91, line 21, column 3, leave out 'Section 48(2).' and insert

'In section 48, subsections (1)(c) and (2).'.

No. 62, in page 91, line 27, column 3, after '23(a)', insert '25'.

No. 63, in page 91, line 35, column 3, at end insert—

'In Schedule 10, in Part II, the words "section 15(1)", "section 15(1) and (5) and" and "section 15(1)(a) and", and Part III.'.

No. 64, in page 91, line 47, at end insert—

'1989 c. 41.	The Children Act 1989.	In Schedule 12, paragraphs 21 and 24.'.— *[Mr. John Patten.]*

Title

Amendment made: No. 102, in line 6, after 'financial,', insert 'and other'.—*[Mr. John Patten.]*

Order for Third Reading read.

10.20 pm

Mr. John Patten: I beg to move, That the Bill be now read the Third time.

The Criminal Justice Bill has been improved in an excellent Committee stage to which hon. Members on both sides have contributed—I refer in particular to the official Opposition and the absent hon. Member for Ynys Môn (Mr. Jones) on behalf of the third parties. My right hon.

[Mr. John Patten]

Friend the Minister of State, Home Office and I are very grateful to those who served on the Committee for the way in which they improved the Bill.

I have only four points to make. First, the Bill has brought about a number of widely welcomed fundamental changes that have appealed to both sides of the House. For example, some radical and long overdue reforms to the parole system have been received with universal plaudits.

Secondly, the Bill has also seen the breaking in to the world of penal affairs and the criminal justice system a greater measure of involvement by the private sector than this country has ever seen before. The measure of the help that the private sector can bring, alongside the voluntary sector to court security duties and in the running of private remand centres, will help this country and its penal system.

Thirdly, the Bill marks a signal attempt on behalf of Her Majesty's Government in the fight against crime, on this occasion looking not at trying to bolt the door after the penal or criminal horse has escaped but at trying to deal with issues at the root. That is why we have placed so much attention in the Bill on parental responsibility and on trying to improve parental responsibility to stop young people growing crooked and contributing to crime when they are older.

At the same time, we have also wanted, through adopting the radical proposals of the Pigot committee in respect of child witnesses, to make quite sure that more guilty child abusers are brought to book and put in prison. Our changes in the parole system will mean that they will stay in prison for a considerably longer period than they have hitherto.

Fourthly, the Bill has made the most radical changes to the sentencing framework of the criminal justice system that this century has seen. The ability that the Bill confers on sentencers to ensure that those who commit serious, violent and sexual crimes receive punishment commensurate with those crimes—normally meaning that they will be sentenced to considerably longer periods than they get now and that they will stay in gaol for considerably longer periods—is balanced by a similar series of provisions that enable much greater punishment in the community to occur so that minor, less serious and non-violent criminals are punished outside our prisons.

It is peculiarly apposite that we are making these changes on the day on which Lord Justice Woolf's excellent report was published. That fundamental change to the sentencing structure will underlie developments in the criminal justice system, not just in this decade or in the first decade of the next century. It will be the fundamental underpinning of the criminal justice system well into the next century. No Bill is immortal, but this Bill will make a fundamental change to the way in which we do things. I commend it to the House.

10.25 pm

Mr. Sheerman: It has been a long process. This Bill was the major Bill in the Gracious Speech, and we spent many hours debating it in Committee. As the Minister said, this is an important day. The day on which Third Reading took place will be looked back on as a historic day for the criminal justice system.

We discussed the hallmark of this Bill in Committee. When the Government went along with the independent authorities that had been asked to consider particular problems—I refer to the Prior report and to the Carlisle report—and when they introduced into the Bill the distillation of such wisdom, they produced important and encouraging provisions.

Thanks to a little help from the Opposition in tidying up bits and pieces here and there and in nudging the Government here and there, the Bill is not too bad in parts. However, other parts of the Bill are not based on such a sound pragmatic framework but are more concerned with the ideological claptrap of a Thatcherite society. Nowadays, even that term is out of date. We look with dismay at the provisions dealing with parental responsibility and privatisation.

The Woolf report, which we discussed this afternoon, is uppermost in our minds. There is an inevitable contradiction between those provisions and what the Woolf report said, which we believe is the basis for a bright future for the criminal justice system—certainly the penal side of the system. Historians will look back on this day as the day on which there was a possibility of change in our penal system. Unfortunately, that change will not occur because of the Third Reading of this Bill. People will remember this as the day of the Woolf report and not the day of Third Reading.

For those of us who wanted a more thorough reform of our penal system, it has been a sad day. The Government have prevented us at every twist and turn from debating and amending the Bill. First, they deliberately constrained the debate by giving the Bill its long title, because they knew that the Woolf report was on its way. To some extent, we believe that the Government have delayed the Woolf report coming to the House because they did not want the embarrassment of it arriving in time to allow a real opportunity to amend the Bill here.

What is wrong with the Bill is that it missed that opportunity. There was even pettiness last Wednesday on the first day of Report, when we were arguing for simple measures to get people out of prison, which is what we thought the Bill was about—and those measures are in Woolf. We must get out of prison those people who should not and need not be there, such as the mentally ill. We tabled an amendment in Committee and last Wednesday on Report to try to get out of the penal system the 20 per cent. of mentally ill people who should never have been placed in it. We tabled a simple amendment to ensure that a pyschiatric report would be available to a court when it was thought necessary.

Another issue on which we feel bitter is the imprisonment of fine defaulters. Opposition Members want to get away from the Dickensian world in which debtors are sent to prison—17,000 fine defaulters are sent to prison each year. They should not be clogging the system. That is against any supportable system of justice.

Throughout the passage of the Bill, the Opposition have attempted to criticise constructively those parts of the Bill that we support, while making quite clear our principled objections to the Bill's objectionable and doctrinaire proposals. We have attempted to improve the Bill with a range of new suggestions that would be of great benefit to the criminal justice system. We have succeeded in making the Government think again on several proposals.

I do not want to crow, but I shall list one or two. The definition of "serious harm" in clauses 1 and 2 has been greatly improved. The Government have at least started to

see the importance of statutory obligations to tackle racism. They have improved on their initial blunder with regard to clause 25 and homosexual offences. But the Government have still not got those issues right, and we hope that there is still time to move. We shall be pressing for further changes in the other place.

We have succeeded also in persuading the Government to get rid of the five-day rule. There have been constructive changes to the section of the Pigot proposals to include, for example, child witnesses within the Bill's protections. The Government have got rid of the daft proposal to allow parents of 16-year-olds living at home and attending full-time education to be bound over. We can claim that all those are some minor successes that have been achieved not only by opposition but by the fact that we have taken the Bill seriously and tried constructively to aid the Government when appropriate.

We shall continue to push these and many other issues in another place. In addition to the issues that I have already raised, we shall press the Government to accept our new clause to divert the mentally ill from prison. The treatment of the mentally ill is a blot on our present system. I hope that, in the light of the Woolf inquiry, the Government will come to see the wisdom of our proposals. We hope, too, that the Government, in the light of Woolf, will warm to our proposals to limit the number of fine defaulters who are committed to prison. We anticipate that, in another place, our new clauses to ensure that this country complies with the European Court of Human Rights' ruling on life-sentence prisoners and on the abolition of the mandatory life sentence for murder will meet with more favour. We shall continue to argue our case for a sentencing council, which we believe is at the heart of where the Government have got the Bill wrong.

We have objected to many of the proposals in the Bill from the outset. We regard curfews and electronic monitoring as dangerous gimmicks, which research has shown to be a farce. Then there are the proposals on fining and binding over parents. Glibly described as attempts to shore up parental responsibility, they do nothing of the sort. Populist and simplistic, they seem designed to tip the more vulnerable families in our community into breakdown.

Finally, there are the privatisation proposals. No Bill is complete without some reference to this dogmatic obsession. The Government are determined to plough on and, indeed extend this idea, despite the appalling record of the private security industry, and despite all the damage that it is doing to relationships with key personnel in the prison system. Privatisation is poisoning the atmosphere in the prison service, at a time when a responsible Government would ensure that they were pulling everyone behind them as they moved to the implementation of Woolf. Relationships with prison governors are at an all-time low, and relationships with prison officers are not good.

I hope that the Government will think again and allow some of the key proposals of the Woolf report to be incorporated in the Bill. When the Home Secretary introduced the Woolf report—all 800 pages of it, which we had had about an hour and a half to absorb—we pleaded with the Government, even at this late stage, to think again, with a view to incorporating some of that radically new philosophy into the Bill during its passage through another place.

Again I ask the Home Secretary, who is now on the Front Bench, and his team really to think through the issue. As we said earlier today, we see Woolf as a change of philosophy. If the Government accept it, they have markedly changed their stance. Let me refer to a point about which I pressed the Home Secretary. If the Government really accept Woolf, the simplistic approaches—building more prisons, and privatising a sector of the service—have been recognised for what they are. These were always false paths.

This Bill is good in parts, and it has been improved in parts. However, two important parts of it will do major damage to the criminal justice system and will be resented by magistrates and by those who work in the prison service. What we need is an all-party, more moderate approach. We hear that, these days, it is fashionable in Government circles to talk about a centrist role in policy terms.

At this late stage I ask the Home Secretary to come back to the centre of the political spectrum in terms of prison reform. If he draws back from the ideological realms of privatisation, the Opposition will extend the hand of co-operation. Let us together look at Woolf and decide not to take an ideological attitude to criminal justice and penal reform, but to adopt a pragmatic approach based on the facts. If the Government do that, the prospects for criminal justice in this country will be much brighter.

10.37 pm

Mr. Tim Rathbone (Lewes): Unlike the hon. Member for Huddersfield (Mr. Sheerman), I welcome this Bill in all its parts. It is a moderate but very dramatic and positive step forward, and I endorse what the Minister said in his moving Third Reading.

For the first time, provision is being made for a community sentence specifically capable of being used to reduce the use of imprisonment as a punishment for those who have alcohol or drug problems. Of all sentences of imprisonment for offences under the Misuse of Drugs Act 1971, 52 per cent. are for periods of less than 12 months, and 36 per cent. are for periods of less than six months. It is likely that the majority of people serving these short sentences are themselves drug users.

Within prison, although there have been efforts to provide a care system involving the prison medical service and the probation service, prisoners serving very short terms are rarely seen by either service. For the population of drug users, imprisonment is a temporary disruption of their drug use. They are ideal candidates for non-custodial sentences. So are those drug users convicted of non-drug offences, whose offending is linked to their drug use.

I hope that, even at this late stage, my right hon. Friends the Minister of State and the Home Secretary will think again about the suggestions made by my hon. Friend the Member for Warrington, South (Mr. Butler) and myself, and will consider whether those minor changes could be incorporated in the final version of the Bill, so that it might do a 100 per cent. job, as opposed to a 99·9 per cent. job, of improving the system in the way in which the Home Secretary and this House want to see it improved.

10.39 pm

Mr. Peter Hardy (Wentworth): I am sure that the hon. Member for Lewes (Mr. Rathbone) will forgive me if I do not follow his points, although, like the Minister, I recognise the hon. Gentleman's long interest in this matter.

I am extremely sorry that I was in a meeting preparing for a Standing Committee tomorrow morning and thus unable to be in the Chamber when the House considered the provision allowing children to give evidence on video. As the Minister knows, like the hon. Member for Chislehurst (Mr. Sims), I have been interested in this matter for some time, and I am pleased that the Government have taken the view that they have, because a need clearly existed. However, it would be inappropriate for me merely to compliment the Government on one aspect of the Bill when other parts of it do not meet with my approval.

Before I entered the House in 1970, I was a school-master—probably an old-fashioned one, because I took the view that young people should behave themselves. I would not dissent if the Government took a similar view. However, if the Minister wants to reduce the level of crime, irresponsibility and disorder among young people, the Bill will not serve that purpose. They should ensure greater hope and more opportunities for young people.

I am delighted by the success of the South Yorkshire police, although I find it preposterous that the Home Office should tell us to employ 18 more police officers next year when the Department of the Environment then pursues policies which will cause us to lose 200. We have managed to secure a high level of detection, despite the fact that the vast majority of young people leaving school in my constituency see no economic opportunity of any real worth. I am amazed that the crime rate is not higher, in my area and in the country as a whole. The position will not improve until the Government pursue other policies, as well as those on criminal justice.

My hon. Friend the Member for Huddersfield (Mr. Sheerman) urged the Government to adopt a more pragmatic position and to reject the dogma of privatisation in the penal system. Like my hon. Friend, I am a practising politician, so I should like the Government to continue on this course because the vast majority of people will regard privatisation of our prison service as preposterous. I wonder how many of them will be talking about a convicts' co-operative. I wonder how many people, next time one of the millionaire fiddlers in the City of London is sent down for fraud, will ask whether he has gone into a private, five-star institution, perhaps financed by the Government under the business expansion scheme and thus offered at a 40 per cent. discount. *[Laughter.]*

Conservative Members may laugh, but I remember taking part in the first debate on one of the early privatisations—that of Amersham International. Conservative Members said that the assets of the company were in the hands of the people who worked in the company. When I suggested that, if that was so, they should establish a co-operative, they mocked the suggestion—largely because they knew that they would make an enormous profit within 24 hours of the company being privatised. I wonder how many will laugh when they realise that the people now recognise that privatisation has become preposterous. Privatising prisons is a move that the vast majority of people, who retain a grasp of common sense, will regard as ridiculous.

10.44 pm

Mrs. Llin Golding (Newcastle-under-Lyme): I am certain that the Minister did not expect me to let this Third Reading opportunity go by without mentioning the evidence of children and the Pigot report.

I am pleased with the progress that we have made on children giving evidence, but we have not yet got it right. I should like to put down a few markers. I cannot understand why, if a written transcript of a sick child's statement made before a magistrate is admissible in evidence under sections 42 and 43 of the Children and Young Persons Act 1969, the Minister could not agree to add the words "and a video tape", especially as he considers that the provision already exists in the Criminal Justice Act 1988. I shall keep asking him that question until I am satisfied with his answer, which is far from the case now.

Children should have a right to a say on the use of screens and video links in our courts. I am not convinced that they will have that protection unless the right is written into the Bill. Our courts do not yet have sufficient understanding of the needs of young children to allow them to have such protection. Cases involving this are frequently brought to me, and I shall describe just one.

Some months ago, a lady telephoned me about her young daughter aged eight, who was giving evidence in Inverness high court. Scotland is supposed to be progressive about the needs of children. She said that, in court, the lawyers and the judge sat in their wigs and gowns and that her child spoke quietly about the disgusting things that the accused man did to her. She was expected to give all the details. There was no microphone. The lawyers shouted at her and the judge told her to speak up. The more they shouted at her, the quieter she spoke. In the end, the case was thrown out because the judge said that, as the court could not hear the evidence, it could not try the case. That is not justice for children. The courts have still to understand that young children must have special consideration because of the strain they are under.

I shall return, as will many of my hon. Friends here and in another place, to the case for a pre-trial hearing. I believe strongly that our court rooms are no places for small children. Until we remove their ordeal of having to appear in court, we will not have the law right. We have some way to go before the Government accept the full impact of the Pigot report. Many of my hon. Friends and I will continue to press for that.

Question put and agreed to.

Bill read the Third time, and passed.

Construction Industry Training Board

10.48 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Robert Jackson): I beg to move,

That the draft Industrial Training Levy (Construction Board) Order 1991, which was laid before this House on 29th January, be approved.

The proposals before the House seek authority for the construction industry training board to raise a levy on the employers in the building and civil engineering industries, to finance the running costs of the board and to run a grants scheme. The proposals are the first to be submitted by the board since it was reconstituted last year. They are different from those submitted in previous years in that the levy is now based solely on a payroll basis.

The basis of the proposals is a levy of 0·25 per cent. on the payroll of employers in the industry, and a levy of 2 per cent. on all payments made by employers for sub-contract labour. Employers with a payroll of £45,000 or less will be exempt from the levy. The proposals have the support of the employers, as required by the Industrial Training Act 1982, and the full support of the board.

The House will know that the Government thought long and hard about their decision to retain this statutory training board. In principle, we believe that independent employer-led arrangements which have the full support of employers offer the best way forward for industrial training. In general, the track record of compulsion through statutory levies in raising the quality and quantity of training is not a good one.

We have, however, retained the statutory principle in the case of this industry because of strong support from employers. The construction industry has particular characteristics which create peculiar problems for training. The mobile nature of the work of the industry, the mobile nature of its work force, both geographically and between employers, together with the large-scale use of sub-contract and self-employed labour produce a unique set of circumstances in those sectors of the construction industry.

Let me emphasise that we consulted widely with the industry about the CITB. There was a widespread and strongly held view that the CITB should be retained but that its management should be streamlined and reformed. In addition, the employers in the industry argued strongly for the retention of a statutory levy because of the largely self-employed nature of the labour force.

We were therefore persuaded to give the industry a chance to reform its training board, to remodel it as an employer-led body, and to alter the basis of levy collection. The revised basis of the levy proposals before the House today is one indication that reform is happening. I am happy to say that other reforms, such as the internal restructuring of the board's management and improvement in financial control, are also taking place. I expect shortly to see the Board's revised proposals for its grants scheme, and later in the year its strategic plan. All this is an indication that the CITB is proceeding in the right direction.

We intend to keep a close watching brief on the Board. Its powers to raise a levy are exceptional and the Government, like the House, must be convinced that they are absolutely necessary to preserve the basis of training in the contruction industry. Because of the peculiar nature of the industry, the Government have decided to continue with a statutory board for the time being. As we said in the 1989 White Paper, however, we continue to believe that the most effective incentive for companies to train is a knowledge and understanding of the skill needs and not centralised regulation based on statutory powers.

I believe it is right for 1991 that the House should approve the proposals before it. I commend them to the House.

10.51 pm

Mr. Henry McLeish (Fife, Central): I praise the work of the CITB, because the construction industry employs nearly 1·8 million people and makes a valuable contribution to the quality of life and a significant contribution to the economy. We do not intend to divide the House on the order, but we have serious misgivings about the nature of some of the proposals included in it.

The order should be seen against the background of a construction industry in crisis. The order may be supported by the House, but it was not overwhelmingly supported by the CITB. The order also continues the systematic dismantling of the two remaining training boards, which are the continuing victims of the purge that was visited upon the training infrastructure in the 1980s.

The order underlines the Government's failure to address the serious issues of sector provision and the need to develop strong, responsible and adequately funded initiatives to tackle some of the economic problems that we shall face in the years up to 2,000.

We are most concerned about how out of step the Government are with what is happening in Europe; how out of line they are with best British practice in training provision, and how out of touch they are with the key contribution that a supply side skills initiative could make to economic well-being and the quality of life of young people and adults in the labour market.

There are a number of charges that we must direct at the Government. Despite the Minister's fine words, the order has not enlisted the full support of the CITB. We have grave reservations about the details in the order, some of which I shall outline later.

Our second charge is that the Government have abandoned any serious commitment to sector-led iniatives. The record of the past decade is ridiculous: of 23 training boards, 16 were removed, followed by another five, and two were grudgingly accepted as part of the statutory framework. I fear that even they will not last much longer, because the Government are keen on the voluntary sector, and that means that nothing practical will be allowed to get in their way.

The third charge relates precisely to the attachment to voluntarism. Ministers say that they do not want bureaucracy or the imposition on employers of a statutory framework. Why then do successful countries have such statutory frameworks, under which their contribution of supply side skills initiatives make a great impact on the economic well-being and industrial performance—and on a key area in which Britain remains weak: output per person employed?

Fourthly, the Government have invested in training and enterprise councils, which we support. But TECs can co-exist in an industrial and training strategy only alongside a strong sector base. Anyone who knows anything about training knows that we must deal with

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companies' specific difficulties. TECs have a role to play in helping with difficulties in local labour markets, for instance. We must also attack inter-company difficulties through sector-based initiatives.

It is sad that, after 12 years, the Government seem to be moving away from the type of policies that apply in Europe and from the growing consensus surrounding the need for strong sectors.

My fifth charge is that the Government often lecture us to the effect that industry knows best. The CITB has told the Government that it knows best, but in a spectacular example of hypocrisy, the Government have been unwilling to accept the wisdom of the very people whom they have entrusted with the future of training in construction. Our evidence shows that to be true.

The changes in the levy are important. First, the form of calculation is to be changed; and, secondly, the level of exclusion will be altered. The previous levy on employers was levied per capita and different annual rates were set for different trades. That system will be replaced this year by a payroll levy, as the Minister told us. It is true that the move to a payroll levy has won general approval, but many people think that the level at which it has been set is far too low. The Government have forced the CITB to set the levy at the low rate of 0·25 per cent.

The Building Employers Confederation, for instance, which represents the largest group of employers, argues that that percentage is far too low. The BEC wrote to the CITB on 4 September 1990 as follows:

"With regard to the level of 0·25 per cent. . . . the Confederation considers that it may be unwise to set such a low level at this point in time. Furthermore, during the present period of uncertainty with regard to the future funding of training, especially in respect of Training and Enterprise Councils, and Government cutbacks in YT funding, the Board should not allow the industry's long term training to be jeopardised through lack of sufficient financial support raised through levy."

So that section of the industry is not happy with the 0·25 per cent.; the needs of the industry demand a higher levy.

When reconstituting the CITB, the Government made it clear that they wanted to increase the financial exclusion level. That has always been opposed by the CITB and most of the industry. The Minister has insisted, against the board's advice, that the small firms exclusion level should be increased from £15,000 to £45,000. That, of course, will affect both the 2 per cent. on labour-only payments and the 0·25 per cent. payroll levy. Even after the CITB was forced to back down over the exclusion thresholds, several employers' organisations wrote to the CITB in September last year complaining about the decision. They included the Building Employers Confederation and the Electrical Contractors Association.

In its 90th edition, in October 1990, under the headline

"Warning that training will be hit: Levy 'Escape' Limit Goes Up to £45,000",

Construction Board News reported:

"Despite industry's stated view that all firms should contribute to the cost of training, the CITB has had to agree to a government instruction to exclude many more smaller firms from paying the statutory levy.

This, says the CITB, will cut the amount of levy income and reduce its ability to carry out training."

The industry has clearly spoken, through its newspaper. The proposal was supported by neither the industry nor the board; it was imposed over their heads by a Government who were wedded to the notion of voluntarism, rejecting the practical, common-sense views of board members.

The *Construction Board News* editorial also said:

"In acceptance of another condition imposed by the Government, the CITB has also agreed to switch its levy charging system to one of a percentage of each company's payroll."

The initial imposition of conditions does not suggest any degree of voluntarism between Government and the CITB. It clearly shows that the Government have made up their mind that this is the direction that the board will follow. It is not a case of industry knowing best, but one of Government knowing best and handing out their own perverted ideology by diktat.

When the board was reconstituted, it did not approve of a levy system that was not tied to exemption. Again, the Government had stated the conditions under which the board was to operate. They forced the board to undertake a review of the issue of exemptions, and even laid down criteria for how it was to evaluate the views that it received from employers. The review revealed—interestingly—that 10 of the 11 main employers' organisations supported the retention of statutory levy not tied to exemption. The only employers' organisation that wanted to introduce the exemption system was the Scottish Plant Owners Association: as a Scot, I say that with some regret.

The result of the review was a severe rebuff for the Government's policy of leaving training to the market. On every occasion, the board made its views clear; but it had no chance of changing the Government's mind. It must be remembered that these were handpicked industrialists. There were only two trade union representatives on the board, which was not packed with people who would instinctively oppose the Government's aims. Nevertheless, it felt obliged, through the press and in other ways, to voice its concern about a Government who it felt were working against its interests.

The changes proposed in the order are all linked to the future of the CITB. When it was reconstructed in 1989, the Government made it clear that they were reluctantly giving in to employer pressure: they cannot deny that. What is more, the CITB was given not so much a clean bill of health as a conditional reprieve. It was reconstituted for three years; at the end of that period, its future would be reassessed. Many employers' organisations fear that the Government's real intention is still to get rid of the board.

Let me remind the House of the conditions under which the two remaining statutory boards had to operate. Clearly the Government had been moved by pressure to retain them, but had not been moved by force of argument to accept the wisdom of such a move. A press release issued by the Department of Employment on 4 April 1990 included a reference to a letter in which the Parliamentary Under-Secretary of State had set out the priorities to the new board. The first was to

"continue to develop and promote as a matter of priority modular based nationally recognised vocational qualifications for all occupations within the industry."

No one could disagree with that objective.

The second was to

"operate in a way that ensures its strategies programmes and activities are fully compatible with the development of Training and Enterprise Councils."

Some have argued that it should be the other way round, because in many competitor countries strong sector initiatives are complemented by local delivery, by local

market intelligence and by bringing employers together to tackle skills training. The Government want sectors to fall into line with TECs, which were barely developed at that time.

The third condition is important:

"The use of levy funds directly to subsidise training provision and the industry's YTS schemes should be rapidly phased out."

Finally:

"More small firms should be given protection from the burden of levy."

Political ideology permeates Government thought on the future of sector initiatives. Voluntarism or the market model are all-important, and any other consideration, especially a practical one, must play a secondary role.

In a Department of Employment press notice on 9 November, the right hon. Member for Sutton Coldfield (Mr. Fowler) outlined his views of the future of the CITB and its construction section. He said:

"In two sectors I have accepted the strong arguments of employers that statutory arrangements should continue for the time being. But this does not shake our belief"—

not practical training considerations, but "our belief"—

"that a voluntary approach offers a better, long term solution to meeting industry's own training needs."

There is not an iota of practical evidence to back the right hon. Gentleman's "belief". Will the Minister say what evidence the Government have to sustain that view?

The right hon. Member for Sutton Coldfield continued:

"I have told the two ITBs concerned that we shall be carrying out a searching review in about three years time to see if statutory arrangements are still necessary."

The sting in the tail followed:

"At present I am minded to think that they too should move to an entirely voluntary basis."

The simple logic is breathtaking—a belief with no evidence to back it. In effect, the right hon. Gentleman was saying, "We shall have a searching review, but we have made up our mind, so for three years do what you wish under the conditions we impose but after 1993 your time will be up."

There is more practical and compelling evidence of the Government's intention to wind up the CITB. They have encouraged sectors such as heating and ventilation, plumbing and electrical contracting to remove themselves from the scope of the CITB. Under the order, they have increased the exclusion threshold from £10,000 to £45,000 and have refused to allow the payroll levy to be set higher than 0·25 per cent. A Labour Government will undertake not a political but a positive review of sector initiatives and of the non-statutory training organisations.

Those changes have dramatically reduced the CITB's income, in addition to the more general cuts in funding of youth training and employment training. The CITB is being forced to spend more than it receives each year, and its reserves are being eaten away. For the year ending 31 March 1990, its income was £167·6 million, but for 31 March 1991, its expected income has been cut to £125·2 million, with levy income cut from £74·4 million to £59·6 million and income from YT cut from £83·9 million to £52·39 million.

For the year 1989-90, the CITB had a current account deficit of £1·46 million, but for the year ending 31 March 1991, the estimated deficit is £14·465 million. Over the next two years, it expects to receive even less income in levy and Government funding for YT. The CITB has to assume a budget deficit of more than £10 million for each of those years. That amounts to a budget deficit of more than £35 million in just three years. The CITB's total reserves were £74·5 million as at 31 March 1990. It is clear that the Government are forcing the CITB to spend all its reserves as a way of helping the wind-down of that organisation.

On 13 February, in the CITB's news release, the director of training, Douglas Shaw, was reported as saying:

"Forecasts of an annual deficit of between £10 million and £11 million in each of the next three years and a consequent fall in the Board's reserves make it necessary to look closely at both the nature of training and the level of support for each category."

There is a clear implication that income is falling because of levy changes and massive cuts in YT and ET funding. The net consequence is that the board uses its reserves, which will last for a finite time, or it cuts the volume or the quality of training or it cuts both.

Obviously, the Government are putting the CITB in the worst of all worlds—it will not be able to satisfy construction employers, because expenditure is declining, and it is risking its reserves simply to maintain current expenditure levels. I hope that the Minister will comment on the financial difficulties facing the board as the Government's policy unfolds over the next two to three years.

It is crucial that we consider all those aspects against the background of the crisis facing construction training programmes. Before the recession, the biggest problem facing construction was skills shortage. The Reading university centre for strategic studies in construction, in a report called "Building—2001", estimated that the annual skills shortfall in construction could be as high as 50,000. The CITB annual report for 1989-90 shows that the shortage of school leavers was undermining training even further. Numbers on the CITB's two flagship training schemes, the YTS and the electrical contracting industry scheme, were down by more than 2,000 on the previous year. A total of 22,453 people started on those schemes in 1989-90 whereas a year earlier the figure was 24,621.

News comment last year also painted a bleak picture of what was in store for new entrants to the construction industry and YTS. An article in *The Independent* of 8 June 1990 stated:

"The biggest youth training scheme in the country, involving 37,000 construction trainees, is under 'fundamental review', which could lead to severe cuts or even closure."

That was dramatic news at that time, but it is now clear that the number of apprenticeships has slumped. The number of new entrants next year will drop by about 7,000 compared with the number this year. Obviously, all these financial and political pressures are having a direct result on the volume and quality of training.

If this is the skills revolution about which the Government constantly talk, we should like to know how the Government can spend less, force the boards to spend less and affect quality and volume. The CITB is forced to work on the assumption that it will train even fewer entrants in the next two years. In 1991-92, the CITB is estimated to be training only 17,000 new entrants. Further evidence of training cuts comes from figures published by the National Joint Council for the Building Industries, which oversees the building industry's 8,400-strong apprenticeship scheme. That organisation says that the number of apprentice registrations is dropping drastically compared with previous years.

It would be bad enough if the industry was facing only a skills crisis. The Building Employers Confederation's

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most recent quarterly state of the trade survey, published in February 1991, shows that training is likely to suffer badly in coming months, but it also shows that 53 per cent. of building firms experienced a cut in output, in the last quarter of 1990. Sixty-seven per cent. of the top 20 national contractors reported a cut in output, and 50 per cent. of firms reported a cut in inquiries for new work. The BEC has also estimated that 100,000 jobs in the building industry could be lost by the end of this year.

When the Minister opened this debate, he did not refer to the crisis facing the industry or to the fact that quality and volume training were being cut. Skills shortages stand at 50,000 a year, and the industry also faces the massive impact of the recession. Obviously we are far from having a world-class work force in the construction industry, but the industry has a great desire to work towards that objective.

This shabby tale of the Government's commitment to training in the 1990s raises several issues. The first relates to small employers. The Government are obsessed with the idea that small employers should be cut off from the reality of industrial life and from a fair contribution to training. Figures from the 1988 labour force survey and unpublished data from the Department of Employment computer show the problems facing small employers. Expenditure on training per employee in a company comprising 10 to 49 employees was 98p per hour. For a company employing between 500 to 999, the figure was £3·07. Expenditure per employee as annual costs for training for the firm employing between 10 and 49 employees was £19. However, for the firm with between 500 and 999 employees, the cost was £61.

Small employers need assistance, but the Government's logic is to exclude them. However, that places stresses and strains on the funding for the board's activities in training in general. The Government also do nothing practical to allow small employers to participate effectively in the skills training that a small company needs as much as a large company.

The Government's figures suggest that, instead of pursuing the political holy grail of voluntarism and exclusion, they should be taking a more positive look at the problems facing small employers in construction and elsewhere and then providing some practical solutions. It is evident that small employers face difficulties, but the Government, for political reasons, turn a blind eye to them.

This shabby tale also raises questions about training and enterprise councils in relation to sectors. The engineering industry training board which claims a lead in the industry, was very critical of TECs in an article in the *Financial Times* on 24 January. It was critical because it thought that the TECs were in danger of creating alternative and inconsistent standards in relation to national vocational qualifications.

However, a much more telling criticism of the Government's approach to sectors vis-a-vis TECs appeared in the March 1989 quarterly published by Incomes Data Services Ltd., which read:

"This is the argument coming strongly from several industries at the moment, notably the Chemical Industry Association which established one of the more successful non-statutory training organisations in the aftermath of the abolition of most of the Industry Training Boards in 1982. Local emphasis, the CIA told a recent CBI conference on training, 'must not be allowed to override, dilute or prevent sectoral and national standards, must not step outside agreed sectoral and national policies and must not allow the loudest voice to fill the biggest local fist with most of the new local resources . . . TECs will only meet their local needs inside a coherent national framework . . . We see each TEC acting as an additional resource, as additional pressure point upon training and educational priorities, but not as a replacement for a sector's own local network'."

That is industry telling the Government that their skewed priorities, which mean investment in TECs to the exclusion of sectors, are not something that British industry can support.

The Government must acknowledge that the Chemical Industries Association is responsible, powerful, efficient and forward-looking in dealing with the needs of its industry and, in particular, skills. If that is so, and we should let industry, which knows best, carry out that role, why do the Government never listen to industry? The answer is that they have closed minds and political prejudices. Time is running out for the Government to tackle the skills crisis before a Labour Government return to do so more seriously—*[Laughter.]*

The third issue that I wish to raise amid the laughter and merriment from the sleepy Ministers is that of the non-statutory training organisations. When the Government were dismantling the statutory training boards in the 1980s, they also set up industry training organisations—the voluntarist arm of the sectoral skills initiative. But interestingly, on 26 February 1988, a study was undertaken, and a press notice issued by the Department stated:

"The research paper is the result of the first comprehensive review of the country's 102 Non-Statutory Training Organisations, which represent firms employing about five million people."

It said that more than half—56—could be described as effective. It does not need a brilliant mathematician to work out that that must mean that nearly half were, by definition, ineffective. The caveat was thrown in that some organisations were being reorganised and so could not contribute to the survey.

If that is successful voluntarism, will the Minister say why the new experiment has, in many cases, been such a magnificent failure—so much so that, on 24 January 1991, a mere three years later, a major research project to examine the effectiveness of the national network of sector-based industry training organisations was announced by the then employment Minister?

The Government stumbled into one change which, for political reasons, could never work. Therefore, three years later, after a report had told them that half the organisations were ineffective, a major review is undertaken. I hope that the Minister will consider the need not only to review the NSTOs, but to review positively the work of the construction industry training board so that it can be assured of a future beyond 1993. The lack of certainty in its work is causing immense problems.

The fourth and most important issue that the Government have failed to address is that of economic performance and productivity. Every study that compares Britain with Europe comes up with two broad conclusions. First, our European competitors have sector initiatives that are strong and employer-led, but that also have Government support. There is a relationship between all the partners, including the trade unions and the providers.

Secondly, it is clear that every other country in Europe has a better and more consistent record of improved productivity than we do. The Government may respond and say that, in the early 1980s there was a massive shake-out of labour, restrictive practices were removed and there was an increase in productivity. But where is that productivity miracle now? It cannot be delivered through training and enterprise councils or through a company's specific training. Until we establish a better base for foundation skills for 16 to 19-year-olds, it cannot be achieved through that mechanism. It can be done through supply side initiatives in sectors. Whether in engineering or construction, it is clear that productivity is linked to supply side initiatives.

The Government are throwing away an excellent opportunity to tackle the long-term productivity problems, increase output per person and reduce unit costs. That is the key to this country's success in the 1990s. Through sectors, skills and leadership, we have the opportunity to make better productivity improvements than we have at present. On small employers, TECs, NSTOs and economic performance the Government are guilty of ignoring reality, best practice in Europe, and the growing consensus in British industry about the way forward.

I urge the Minister to extend the remit of NSTOs and to consider a secure future for the Construction Industry Training Board and the construction section of the engineering iindustry training board. The Government should take on board the idea that sectors should have a status similar to that of TECs. Both are urgently needed and both are part of our industrial and training strategy for the 1990s, but they are complementary. One cannot survive without the other. Obviously, the enhanced status for sectors will mean that they will become an important part of the debate rather than, as at present, being regarded by the Government as a Cinderella.

Thirdly, in public policy terms, we must get away from the simplistic "politics first, voluntarism" first attitude to statutory provision. If industry says that we need change, will the Government listen? If there is a consensus on a way forward, will the Government listen? Surely we do not need an over-prescriptive Government allowing a statutory board to continue and then setting limits and parameters within which it can operate. Is there not a balance or flexibility so that we can allow industry to work with Government to achieve the best for its sector, in the interests of its sector, and not be tied by the over-prescription that we constantly see?

Fourthly, will the Government reconsider the fact that they have marginalised the employee part of the partnership? Where in this country can we find the ideal that other European countries have? We do not have it. Obviously, unless we can bring in employee representatives in a more positive way, we shall make little progress.

I do not expect for a minute that the Government will take on board any suggestions that we make, but it is clear that, if the Government will not attend to the skill needs of the nation, we certainly shall. In the remaining few months until there is a Labour Government, it is incumbent on the Minister to take seriously the issues that the Opposition raise.

11.26 pm

Mr. Michael Latham (Rutland and Melton): I shall speak for only a couple of minutes, and I shall do so on the basis of having worked directly in the construction industry since 1967 and having been a director of a member firm of the Building Employers Confederation, for which I also worked directly for six years. Therefore, I declare an interest as a director of a large construction company which pays levy and receives grant as a result of training.

The strictures of the hon. Member for Fife, Central (Mr. McLeish) were grossly exaggerated. It is ridiculous to suggest that the Government were not listening. My hon. Friend the Under-Secretary of State has made it absolutely clear that the Government were minded to abolish the construction industry training board a couple of years ago and that they listened not only to the industry but to a considerable number of the hon. Gentleman's hon. Friends. In particular, they listened to my hon. Friend the Member for Norfolk, North-West (Mr. Bellingham). The training headquarters of the construction industry training board is based in Bircham Newton, which is in my hon. Friend's constituency. My hon. Friend the Member for Norfolk, North-West has done an outstanding job in defending the interests of his constituents and raising these matters with Ministers. I pay tribute to him.

Having worked in the industry for many years, and still working in it, I know that the board is absolutely essential to the industry. Despite the continual use of the expression "the construction industry" by the hon. Gentleman and many other people, there is no such thing as the construction industry, except as an overall expression. There are a large number of different industries and different trades within it. Some of them do absolutely no training. The private house building sector, for example, has hardly any apprentices. The vast majority of the work that takes place on house building sites is sub-contracted to labour-only gangs and self-employed men. It is an extremely efficient system but not one which produces many apprentices. That is well known. The hon. Gentleman gave figures showing the declining number of apprentices. I remember giving exactly the same figures 20 years ago in discussions with Ministers at the time. The number of apprentices rises and falls according to the state of the industry; at present, the industry is in recession and is therefore taking on fewer apprentices. That is extremely regrettable.

However, in practice, if there were no construction industry training board and if there were no statutory levy —in particular, if there were no levy for labour-only sub-contractors, which is rightly set at the higher figure of 2 per cent. in the order—there would be virtually no training in the industry. People would continually be poaching each other's men; men would simply move from one site to another hunting the higher bonuses that are on offer, particularly when the industry is in good shape, which at present it is not. It is essential, therefore, to maintain the levy.

I do not accept the hon. Gentleman's strictures about the exclusion of the smallest firms. I agree with the Government that it is right, although I know that that view is not popular with many of the trade associations. As I said, I worked for one for six years. Quite apart from the administrative nightmare of trying to collect any levy from

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firms that employ one or two men—or possibly no one at all—such a system would take us back to exactly the problems that we faced in 1969.

I do not know whether the institutional memory of the hon. Member for Fife, Central goes back as far as that, but mine does. I worked in the industry then—directly, at the Building Employers Confederation—and I was concerned with those problems. The board nearly collapsed then. It was Robert Carr and the incoming Conservative Government who saved the board and put it on a firm basis, just as the present Government and the present Minister decided to continue with it.

The basis for the salvation of the board by Robert Carr, then Secretary of State in 1970-71 was that it was agreed that it was ridiculous to continue to allow the very large companies—I am a director of one—to make a profit out of the board and the levy because they were training so many people in management and getting all the levy back and more, while small companies employing two or three people could send to be trained once a man whom they could ill spare off site and would then have to go on paying the levy indefinitely, year after year. My hon. Friend the Minister is quite right to exclude such firms from the levy, and I support him in that regard.

Let me stress to my hon. Friend, however, that construction is not like other industries. It has a mobile work force. It does not have fixed places of employment. Men move from site to site, and sites close, often after quite a short period. If we are to retain any training in the industry at all, we must have a board and we must have a levy. We now have an excellent board with a fine chairman in Cliff Chetwood and a new chief executive in General Wilmott. I wish it every success and I look to my hon. Friend to ensure that it has a good solid future.

11.31 pm

Mr. Jackson: I thank my hon. Friend the Member for Rutland and Melton (Mr. Latham) for recognising that the Government have been flexible and have listened to the industry's arguments and taken into account the special circumstances pertaining in different sectors of the industry—hence the proposals that we are debating today. I agree with my hon. Friend that it is ironic that the Opposition should have chosen this of all occasions to denounce the Government for having ideological hang-ups about voluntarism. Perhaps the hon. Member for Fife, Central (Mr. McLeish) did not think deeply enough about the circumstances when he chose this occasion to launch his attack.

I welcome the hon. Gentleman's support for the CITB and for its work. I agree with him about it. I also welcome his endorsement of the new training and enterprise councils, although I rather regret the hon. Gentleman's tendency to attempt to set up an opposition between a TEC approach and a sectoral approach. As he said at one point in his speech, they have to be complementary. Arguments based on the premise that they are somehow rival approaches, which formed an element of the hon. Gentleman's speech, are ill founded. The TECs and the industrial training boards—the sectoral bodies—have complementary roles, and we must recognise that.

The hon. Member for Fife, Central rather ironically chose to make a strong pitch in favour of a compulsory levy approach to training. This is not the occasion on which to debate the Labour party's evolving policy on training, although I assure the hon. Gentleman that we take his ideas seriously. We had an opportunity for an extensive debate about these matters only a few weeks ago. The Opposition signally failed to give the House the chance to consider their latest thinking. Opposition Members said nothing about their ideas about compulsory levies—it was Conservative Members who took those matters up.

The hon. Gentleman spoke of the Government's "perverted ideology" in favour of voluntary approaches. The argument about compulsory levies and their value is essentially a practical one based on what works best. The hon. Member for Fife, Central made great play of the experience of other European countries, but there is only one major one that operates the sort of compulsory levy system of which the hon. Gentleman was talking. The French have had considerable success in their training experience, but the majority of those who have examined the system reckon that their levy system has been irrelevant to it.

It is not as though we in Britain are without any practical experience of operating a levy system. We had one, under Governments of both parties, from 1964 through to the early 1980s. If the hon. Member for Fife, Central is right when he says that we do not have a world-class work force in the construction industry, the roots of that must go back to the 15 years when we had the sort of levy system that he considers to be a panacea which will solve all problems.

The Government's philosophy on training, as I explained when I replied to a recent debate on the subject, is to work with employers to improve the quality and quantity of training. That is the way in which we shall achieve the productivity improvements to which the hon. Gentleman rightly attaches importance. Most employers feel strongly that a voluntary partnership will work best. Where there is support for a statutory approach, as there is in this instance, we shall accommodate it. The hon. Member for Fife, Central should recognise the irony of the Opposition rebuking the Government for our attachment to voluntarism during a debate on a statutory levy.

Mr. McLeish: The Minister cannot have it all ways. The attack on the Government's form of voluntarism was based on their hypocrisy. The CITB was given a conditional reprieve. The Government were in the curious position of wanting to step back from interfering with industry while saying to the board, "Yes, you can operate on your own, but you must have more exemptions for small businesses and a low payroll levy. You must not use funds from the levy to invest in youth training." That is a curious form of voluntarism. We have argued that over-prescription will stem from the voluntarism that the Minister is preaching.

Mr. Jackson: The other great theme of the hon. Gentleman's speech was small firms, and I shall take it up. Before doing so, I express the view that he has not recognised the extent to which there has been consultation with the industry about the operation of the CITB. The decision to retain the principle of a statutory levy arose from consultation with the industry, as did the various reforms which have taken place within the board. The hon. Gentleman must not assume that every arrangement is

perfect. It is necessary to keep arrangements under review, and that is what we did. The consequences of that are the changes to and reforms within the CITB to which he referred.

The hon. Member for Fife, Central talked about the levy and the level of the CITB's income. Secondly, he referred to the small firms exclusion threshold. The levy of 0·25 per cent. was a matter for the board, and it was the board that proposed it. The income from it will be the same as that which would have been derived from a per capita levy. The hon. Gentleman spoke of the Opposition's plan for a further review, should they form a Government. I take from that the implication that the hon. Gentleman would intend to increase the levy. I can imagine the kind of welcome that that would receive from the building industry, which I hope will take note of what the hon. Gentleman has said—indeed, I am sure that some of my hon. Friends will draw its attention to the hon. Gentleman's remarks.

Mr. McLeish *rose*——

Mr. Jackson: Perhaps the hon. Gentleman wishes to make a correction.

Mr. McLeish: There is no need for correction. The Minister has raised issues which were not discussed. No one suggested the imposition of a bigger levy. The important feature was that a Labour Government would conduct a positive review—not a political review. There is a significant difference between that, as a statement, and the logical development—as in the mind of the Minister—to the position that the Government have reached.

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): A positive review results in a tax increase.

Mr. Jackson: As my hon. Friend says, a positive review results in a tax increase.

The hon. Gentleman cannot attack the Government for having fixed the levy at too low a rate and then attempt to deny the perfectly logical implication that it is his intention to increase the levy.

The hon. Gentleman made great play of the reduction in levy income. That was the other aspect of his argument, but he now seeks to imply that he does not believe that that income should be made up by increasing the levy, having made the point that levy income has been reduced. In fact, the reduction in the income is due to the reduction in the size of the coverage of the board due, for example, to the removal of various sectors. My hon. Friend the Member for Rutland and Melton recognised that the industry has many different sectors and aspects to it. That has been reflected in the changes in the scope and coverage of the CITB that we have developed. The board's total coverage has been reduced by 25 per cent., and that is what the reduction in income reflects.

It is ironic that the hon. Gentleman recognised the strength of the CITB's reserve position but did not seem to draw any conclusions from that about what would be an appropriate levy.

Mr. McLeish: The implication was that if the CITB continues to use up its reserves as it is doing at the moment, within a few years those reserves will have disappeared. The first question to ask the Minister is whether that makes sense for a board which has substantial assets and wishes to retain them. Secondly, if there are cuts in youth training funding and in the income generated by the levy, will that not result in both the volume and quality of training being drastically cut in the next two or three years?

Mr. Jackson: The hon. Gentleman has a lot of explaining to do to the building industry. He wants to increase the levy—that is a reasonable implication of his remarks about its being too low—but he now says that the reserves should not be spent. It would be difficult to say to the building industry, especially in the present economic downturn, that a board with substantial reserves should maintain them—and possibly even increase them—while raising the levy that it imposes upon the companies in the sector. That is an unreasonable suggestion to make to the building industry at the present juncture, and the hon. Gentleman should reflect on that.

The hon. Gentleman's other main point related to the exemption of small firms. It was interesting that although the hon. Gentleman affected to be a friend of the small firms—"Give them a chance to contribute to the levy" seemed to be the tone of his argument—he wants to increase the burden on them. That is the logical implication of the proposition that the level for the exclusion of small firms has been set too high.

When we consider the small firms' exclusion from something like a statutory levy, we must ask whether the game is worth the candle. That was precisely the point made by my hon. Friend the Member for Rutland and Melton. The construction industry contains an impressive number of small firms. The most recent census of production shows 160,000 such firms, many of which are very small, as my hon. Friend knows the industry so well can testify. Indeed, 14,801 firms have payrolls of £15,000 or less, and 23,022 have payrolls of £45,000 or less according to the most recent census of production.

If the scope of the levy is extended as the hon. Gentleman would like, many thousands of small firms will be brought into the requirements. Policing them will be extremely complex, difficult and burdensome, and what would be achieved as a result? Although there are many small firms in the industry, the vast majority of its employees work for the larger companies. In fact, 10 per cent. of the firms employ 76 per cent. of the employees —and pay 73 per cent. of the levy. Those circumstances are reflected in the fact that the loss of income to the CITB from raising the small firms exclusion level from £15,000 to £45,000 is only £1·8 million.

The hon. Gentleman talked about stresses and strains on the budget as a result of the change in the exclusion level, but £1·8 million out of an annual total levy income of nearly £60 million does not strike me as being a major stress or strain. The House is obliged to set against that £1·8 million the savings in hassle and bureaucracy affecting many thousands of small firms which we shall achieve by raising the small firms exclusion level. The hon. Gentleman should reflect on that point.

This is a very interesting illustration of the dangers of the statutory approach that the hon. Gentleman favours. The danger implicit in any statutory approach is the extension of law-making, rule-making and bureaucracy. There is inevitably a tendency to focus on the statutory arrangements for their own sake, rather than to keep one's eye on the ball in terms of more and better training. The

[Mr. Jackson]

way to keep one's eye on the ball in that respect is to win the co-operation of employers rather than to proceed as the hon. Gentleman suggests.

Question put and agreed to.

Resolved,

That the draft Industrial Training Levy (Construction Board) Order 1991, which was laid before this House on 29th January, be approved.

Mr. Peter Newman

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

11.45 pm

Mr. Bowen Wells (Hertford and Stortford): I want to bring to the attention of the House the sad case of my constituent Mr. Peter Newman, and to the hopelessness of that gentleman's situation. I do so with a view to drawing attention to what I think is a gap in the provision for people suffering from the mental illness of which Peter Newman is a victim. Let me begin by referring to some points in Peter Newman's recent history. Because of the shortage of time, I shall leave out quite a lot of detail.

I am glad to see the Parliamentary Under-Secretary of State in his place. I have received from him many sensitive, generous and kind letters about this difficult case. I know very well that he will treat it with great seriousness and will try to find an answer. I am glad to see my hon. Friend the Member for Macclesfield (Mr. Winterton) also in his place. My hon. Friend the Member for Ealing, North (Mr. Greenway) wished to be mentioned in the context of this case, as it involves a person who, in layman's language, is suffering from schizophrenia. Mr. Peter Newman has never been positively diagnosed as schizophrenic, although a social worker once admitted to his mother, quietly and without commitment, that he had been diagnosed as paranoid with psychotic phases.

One of the key points that I want to draw to the attention of the House is that psychiatrists cannot truly identify, and will not designate, Peter Newman as suffering from any real or recognisable mental illness that could be treated under the Mental Health Acts of 1959 and 1983. In my view, that is one of the gaps in the provision.

Peter Newman has made two attempts to commit suicide. One of these occurred in July 1986, when he was a patient at Long Grove long-stay hospital. The fact that he had been sectioned to be there shows that he suffers from a very serious mental illness. He threw himself from a top-floor window and suffered very serious brain damage. His mother and family took a great deal of time to bring him round and restore him to some kind of normal health. In 1987, he was transferred to a hospital nearer his home—the Princess Alexandra—but he escaped and threw himself from the multi-storey car park, inflicting very serious physical damage on himself. Peter Newman is clearly very determined to commit suicide, and is thus a serious danger to himself.

It is not that many of the authorities have not made some provision for Peter. It is not that they have not been very worried indeed about him and have not tried to diagnose the problem and treat it in some way. Indeed, he spent a year, at the expense of the North East Thames regional health authority, in an extremely costly and excellent hospital—St. Andrews in Northampton. The authorities have done a great deal to try to treat him. Peter Newman released himself from St. Andrews and had to be brought back, after which he finally released himself into society. That was only to pick a fight with his brother when he returned to Hertford, and the Hertford magistrates committed him to Pentonville prison, just before Christmas 1990. All of us concerned with the case were relieved that he was there, because at least he was safe

there. The prison authorities put him straight into the hospital wing, where he remained for the whole of his three months' confinement.

On his release, in January this year, there was no place for him to go. Therefore, I made arrangements with my hon. Friend the Member for Ealing, Acton (Sir G. Young), the Minister for Housing and Planning, for him to be given addresses of hostels in London. The prison had given him a list of hostels dated 1988, so it was well out of date. He found hostel accommodation. A few weeks later, he broke into Buckingham palace and was arrested by the police. They did not charge him, because they recognised that he was suffering from a mental illness, but instead they took him back to the hostel.

He was then found riding on the outside of trains in the Southern region, arrested again and taken back to the hostel. He was last seen walking among fast-moving traffic in Edmonton, arrested, not charged, and taken by the police to where he is now, Hackney hospital. Two doctors sectioned him under section 2 of the Mental Health Act 1983, to be detained for a 28-day assessment order. He cannot release himself from that hospital.

I fear that, when he is released, Peter Newman will be released into a world in which there is no provision for him, and he cannot be treated or taken care of. During the time that he was in Northampton, all of us concerned in the case were worried about what would happen to him when he came out. I wrote to the district health authority and to the social services department of the Hertfordshire county council. It is worth reading their replies to me, because they are supposed to take care of him.

The chairman of the health authority said:

"The latest information I have had is that Peter Newman is due to be released at the end of next week and I have to confirm that following the Forensic Psychiatrist's report, Peter Newman will not be the responsibility of the Health Service.

I understand that he would therefore be the responsibility of the Social Services who, as you know, had provided a place for him in one of their homes but he walked out from it. They have no authority to force him to stay. I am sure that Mr. Laming"—

the director of social services in Hertfordshire county council—

"has replied to you in a similar manner and that due to his history, the Local Council representatives will be visiting him prior to his discharge concerning his housing. This action is in line with the recommendations made in the Case Conference held on 15 November 1990."

The social services director, Mr. Herbert Laming, said:

"By all means, take up the case of Peter Newman, since it illustrates extremely well the difficulties which are being faced by Social Services Departments when they are being asked to provide services for people who either refuse to accept what is offered to them, or behave in ways that ensure failure of the placement, or need services which can only be provided by other agencies.

In Peter Newman's case, we have had the experience in the past that we have found residential homes which were prepared to offer him a place, only for him to refuse to accept. We have tried to accommodate him in the residential homes run by the County Council for people with mental health problems, but his behaviour could not be contained in this setting. More recently, his propensity for violent behaviour resulted in the prison sentence he is currently serving.

Of the residential resources approached on Peter's behalf by our staff, only two expressed a willingness to consider him. One is Knoesworth House, which is a private hospital, and if they were to admit him, his place would have to be paid for by the local Health Authority (as they have done on a previous occasion when Peter was admitted to St. Andrews, a similar hospital). The second offer to consider Peter came from a residential home in Devon, whose charges are in the region of £20,000 to £40,000 per annum . . . The sponsorship budget available to the Department is fully committed and I regret that we are therefore unable to provide funding for such a placement."

Therefore, neither the health nor the social services authorities in Hertfordshire provide a place for Peter to go. I sought a place for him from those responsible for the homeless, but found that there was no local authority provision for people in his position, so there was no question of his being offered such accommodation.

That means that Peter is left to wander aimlessly and hopelessly in London without treatment. Authorities cannot detain him to provide him with the 24-hour care that he needs or prevent him from releasing himself. He needs to be restrained and to have his liberty curtailed, yet there is no way to do so under the current Mental Health Acts.

Care can be provided by the health and social services and by homelessness offices as well as by the police and the prison service. Indeed, many mentally ill people, like Peter, are accustomed to being accommodated in their hospitals, which are the only places where they can be put. Great responsibility lies with the psychiatric services and the mental health commissioners.

At the suggestion of my hon. Friend the Minister, I went to see the mental health commissioner, Professor Evelyn Murphy. At present, it is the fashion to try not to keep anyone in detention if one can possibly avoid it. Although that is laudable and I understand it, it has resulted in a grey area. People are not positively identified as suffering from a mental illness under the definition of the Act, yet by any normal person's judgment, and certainly in the judgment of their family, they are clearly not acting in their own interests. They are vulnerable and a danger to themselves as well as to their community and family.

Mrs. Newman has concluded that her son is lost. He will either kill himself or somebody else. Only in the latter case will his problem be solved by a long-term prison sentence, which he will probably serve in the mental hospital wing of a prison. That is unacceptable, and we cannot allow this to continue.

I call on my hon. Friend the Minister to set up urgently a committee of experts to make recommendations on how people in Peter's condition can be detained, treated and given long-term security under restraint. If necessary, the committee should make recommendations to alter the Mental Health Acts 1959 and 1983 to permit that to happen.

Secondly, I ask my hon. Friend to provide suitable accommodation as a halfway house. Perhaps such people could be identified not as mentally ill under the 1983 Act, but as sufficiently mentally ill that they cannot look after themselves and need to be looked after. I also call on my hon. Friend to meet with me psychiatric consultants and to ask them to examine the position and to make recommendations for alternatives to current practice and definitions of mental illness, so that people in Peter's position can be treated and detained, as I am sure the whole community would wish them to be.

11.59 pm

Mr. Nicholas Winterton (Macclesfield): I am grateful to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) for allowing me the opportunity to contribute

[Mr. Nicholas Winterton]

to this important, albeit short, debate. I do so for a number of reasons—not least Mrs. Newman, my hon. Friend's constituent, who wrote to me about her son's case. I am particularly interested because of my membership of the Select Committee on Health.

I fully endorse what my hon. Friend has said. He has represented his constituent and his family positively and sensitively in a difficult area. He has highlighted one of the grave gaps in our policy on community care, with particular reference to the mentally ill—the category into which Peter Newman falls. Those people are dealt with inadequately under the current legislation, and the available accommodation is inadequate to deal with a case such as that of Peter Newman. He has spent a limited time in prison, but that is not the place for someone suffering from a mental illness.

My hon. Friend has asked for certain assurances and commitments from the Government. Those requests are in line with the views of the Select Committee on Social Services, which produced a report on mental illness and community care in the previous Session of Parliament. When my hon. Friend the Minister replies, I hope that he can tell me when his Department intend to reply to that report, which has an important bearing on the serious case that my hon. Friend has raised.

12 midnight

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): As my hon. Friend the Member for Macclesfield (Mr. Winterton) said, the case raised by my hon. Friend the Member for Hertford and Stortford (Mr. Wells) illustrates the difficulties in the law and practice in the treatment of, and facilities for, mentally ill people. I congratulate my hon. Friend the Member for Hertford and Stortford on raising this matter.

My hon. Friend the Member for Macclesfield asked when the Government expect to respond to the Select Committee on Social Services report on arrangements for provision for the mentally ill. That response will be given shortly—it is reasonably imminent.

My hon. Friends will appreciate that I have some difficulty in responding to the specifics of the case raised tonight. My hon. Friend the Member for Hertford and Stortford has argued about the specific nature of the provisions and services available to his constituent. He will understand that those issues relate to an individual case and are bound by the normal duty of confidentiality which govern the relationship between a national health service patient and his clinical advisers.

My hon. Friend disagreed with the clinical assessment of Peter Newman, but I cannot enter into an argument about that. I am not a clinician and therefore I am unable to argue about whether the psychiatrist's clinical assessment was right or wrong. Even if I were able to decide on that assessment, it would be a confidential matter between the psychiatrist and the patient and not one that should be properly traded across the Floor of the House. I do not believe that it would be right for me to get involved in the specifics of the Peter Newman case. I can, however, talk about the arrangements which are made to treat that type of patient in general, and the Government's approach to that.

My hon. Friend said that Peter Newman "needs his liberty curtailed". That goes to the heart of the matter. The House must recognise—I know that my hon. Friend does—that to deny any citizen his liberty is a grade A civil rights issue. The subject does not lend itself to administrative finesse. Parliament has rightly insisted that it should be laid down in detail in statute law. If the suspicion grew that a clinician was playing fast and loose with the statutory definition of the circumstances in which liberty can be denied, he would be hauled up not merely for his clinical judgment but also on legal grounds. It is for Parliament alone to describe the circumstances in which any citizen of this country can be compulsorily denied his liberty or be subjected to compulsory clinical investigation.

The mere fact of mental illness does not remove from the citizen in all circumstances the right and ability to take decisions about his own life. Mental illness removes that right in some instances, but those circumstances are defined in the Mental Health Act 1983. If my hon. Friend wishes to argue that the statutory definition of the circumstances in which freedom can be removed needs to be extended or redefined, it is incumbent on him to propose draft amendments to the Mental Health Act to that end. Such amendments would prescribe the circumstances in which he thinks that liberty should be curtailed and which are not covered by the definitions to be found, most importantly, in section 3 of the Mental Health Act.

I put the ball back in the court of my hon. Friend the Member for Hertford and Stortford not merely as a debating point but because the issue has been regularly raised by those concerned about and interested in the subject. The Government have said that they are always open to proposals on how the law can be amended or refined, but we have not yet received detailed proposals showing precisely how the law is inadequate and how the grade A civil rights issue can be advanced.

It is not enough to take a particular case. There is an old saying that hard cases make bad law, so we need to define the circumstances——

Mr. Wells: It was precisely because the definitions in the Mental Health Act needed redefining that I asked my hon. Friend the Minister to help me and everyone concerned by establishing a committee of experts or a group to determine how we can alter the law to meet the gap in provision and in definition. Of course the liberty of the individual must be preserved, but not to the point of making vulnerable people walk the streets of London, without treatment, help or housing.

I need my hon. Friend's help. I do not have a research assistant to do the work. Neither I nor any hon. Member has the resources to do it. We need experts, and I am certainly no expert.

Mr. Dorrell: Indeed, but the difficulty with establishing a committee is that its terms of reference need to be clearly defined. Our minds are not closed on the subject, but the onus is on those who argue that the law is inadequate to describe the circumstances which they believe should be covered by the law——

Mr. Nicholas Winterton: Will the Minister accept that my hon. Friend the Member for Hertford and Stortford also requested that, pending any such committee being set up, he might seek to find appropriate accommodation for

Peter Newman? It will need to be accommodation with 24-hour care, treatment and supervision, because the man is mentally ill and requires such care, treatment and supervision. As my hon. Friend said, at present there is no suitable accommodation, there are no resources and there are no facilities to provide the necessary care for this vulnerable person.

Mr. Dorrell: My hon. Friend has neatly pre-empted my next remark.

I have dealt with the definition of circumstances in which we deny someone his liberty under the Mental Health Act. If an individual does not come within the terms of the Act as written—or even as amended, as a result of my hon. Friend's initiative—we must conclude that he has precisely the same right to refuse treatment for mental or any other illness as any of my hon. Friends, or any other citizen. We all have that important right to discharge ourselves from an NHS hospital, although it may not be in our best clinical interests. I would not wish to finesse or blur Mr. Newman's right to discharge himself from facilities that may indeed be in his best clinical interest, if he is not covered by the Act.

That, of course, increases the onus on us to ensure that provision is adequate, and that mentally ill people who are not subject to the section power accept that the available treatment meets their needs. It is to that aim that the major enhancement of the mental illness programme on which we have embarked is directed. The date of 1 April 1991 marks not only the general implementation of the NHS reforms, but the beginning of the implementation of a major programme of enhancement of mental health facilities within the NHS, initiated by my predecessor, my hon. Friend the Member for Kettering (Mr. Freeman).

On 1 April, five points in our mental illness programme begin to take effect. First, each health authority has been charged with the introduction of the care-programme approach to treatment provision for the mentally ill. For those who are under the care of a health authority, the authority is required to ensure an individually tailored care programme for each patient, which must name a key person who is responsible for ensuring that the health and social facilities described in the programme are made available to the individual who benefits. That is a major enhancement of the management of mental illness services.

Secondly, from 1 April we shall implement the mental illness specific grant, which will provide for total additional expenditure by social service departments of £30 million in the first year. Thirdly, we have announced the approval of capital allocations through the local government finance system, so that local authority social services departments not only have the specific grant to support their revenue expenditure, but have access to capital funds to ensure that the facilities are there on which the expenditure can be made.

Fourthly, we are continuing with the capital loans fund, which is designed to ensure that inappropriate, old-fashioned mental illness facilities are taken out of commission more quickly, and that the capital released thereby is used to provide more appropriate, effective care facilities within the community. Fifthly—perhaps as important as any other proposal, in the context of cases such as Peter Newman's—the next financial year will see physical expression of our programme for the homeless mentally ill in London, to ensure that, for those who slip through one net—and, to be honest, if we are providing for the majority of mentally ill people in the community, some will slip through—there is also a safety net to give them a staircase back into mainstream provision.

That programme adds up to £155 million of new money for mental illness services over the next three years. I do not think that anyone can doubt the Government's commitment to enhancing provision, precisely to meet the test that I described: that those who are not detained compulsorily under the Mental Health Act must have access to a range of provision that will cause them not to wish to discharge themselves voluntarily from provision that the law does not allow us to provide compulsorily.

I hope that my hon. Friends accept that we have clearly defined the circumstances in which provision should be compulsory. Those are very tightly drawn, properly in my view. If someone is not covered by such provision, it is incumbent on us to ensure that there is adequate voluntary provision, and to address that priority as well.

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fifteen minutes past Twelve o'clock.

House of Commons

Tuesday 26 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

STANDARD LIFE ASSURANCE COMPANY BILL *[Lords]*

As amended, considered; to be read the Third time.

LONDON UNDERGROUND (No. 2) BILL

Order for Second Reading read.

To be read a Second time tomorrow.

HEATHROW EXPRESS RAILWAY BILL *[Lords]*

Ordered,

That the Committee on the Heathrow Express Railway Bill *[Lords]* have leave to visit and inspect the sites of the proposed works and areas affected by the proposed works, provided that no evidence shall be taken in the course of such visit and that any party who has made an appearance before the Committee be permitted to attend by his Counsel, agent or other representative.—*[The Chairman of Ways and Means.]*

Oral Answers to Questions

EMPLOYMENT

Employment Training

1. **Mr. Jack Thompson:** To ask the Secretary of State for Employment what measures he will introduce to improve employment training.

12. **Mr. Cryer:** To ask the Secretary of State for Employment what measures he is taking to increase the level of employment training; and if he will make a statement.

The Secretary of State for Employment (Mr. Michael Howard): I announced in November additional flexibilities to enable training and enterprise councils to increase the effectiveness of employment training. I am announcing today that an extra £120 million will be made available to training and enterprise councils in England and Wales and to Scottish Enterprise and Highlands and Islands Enterprise in Scotland to ensure that employment training can continue to play its full part in helping unemployed people back to work.

Mr. Thompson: That announcement does not compensate for the fact that since 1988 £1 billion has been taken out of the training bill. Is it not a national disgrace that quality training, which is one of the cornerstones of the improvements that we might expect to see in the British economy, has been greatly damaged by the fact that so much funding for training has been removed? Is the Secretary of State aware that we are going through a catastrophic time for training and that after the present crisis the British economy will be seriously damaged due to the lack of investment in training not just in the past year or two but for the past 10 years?

Mr. Howard: One thing is absolutely clear about these additional resources. In the debate on the autumn statement, the shadow Chancellor reaffirmed that training would not be one of the two immediate priorities for a Labour Government—so what we are devoting to employment training is at least £120 million more than the Labour party would make available.

Mr. Cryer: Can the Secretary of State explain how the sale of 51 skillcentres, accompanied by a gift from the Government of £70 million, has improved the availability of training in this country when the activity of the three insider dealers who bought most of the skillcentres has been concerned principally with sacking instructors, selling off freehold sites and selling the valuable machinery and equipment used by the skillcentres to train people? When will the right hon. and learned Gentleman explain what value this audacious taxpayers rip-off is to the people who want employment training?

Mr. Howard: The hon. Gentleman persists in making entirely unfounded allegations about the sale of skillcentres. The skillcentres were making a substantial loss. It is clear that they can now provide training much more effectively in the private sector, and that is exactly what they are doing.

Mr. Nicholls: Does my right hon. and learned Friend not find it bizarre to be accused by Labour Members of underfunding employment training when that and every other major training initiative introduced by the Government has been attacked and opposed by them from the beginning? Does he agree that it would be more appropriate for them to support employment training instead of trying to supplant our training schemes by calling for the reintroduction of a training levy on employers, bearing in mind how that failed to produce the goods in years gone by?

Mr. Howard: I agree with my hon. Friend. Nothing remotely comparable with employment training was available when Labour Members were last in office. They have consistently opposed every training initiative that we have introduced, which makes their claim to be the guardians of training entirely laughable.

Mr. Madel: As there is a shortage of people trained in electronics and electronic engineering, will my right hon. and learned Friend ask the training and enterprise councils to make training in that sector of industry a priority, especially as they now have welcome new money?

Mr. Howard: My hon. Friend will appreciate that the essence of training and enterprise councils is that they should be able to tailor training programmes to local circumstances in order to equip local people with the skills that they need to fill local jobs. I am sure that, in carrying out that remit, the councils will bear in mind the needs of the sector to which my hon. Friend refers.

Mr. Blair: Will the Secretary of State confirm that the £120 million that he has announced is less than a third of the amount that he is cutting from the Department of Employment budget for next year alone? Will he guarantee to save the thousands of training places at risk, the training providers who are going out of business and the training programmes that are being closed? If he will not give that guarantee, are we not justified in saying that the Government, having created unemployment, are now abandoning the unemployed?

Mr. Howard: Why does the hon. Gentleman not recognise that his colleague the shadow Chancellor has made it plain that training is not one of the two priorities on which the Opposition would immediately increase spending if they were ever to form a Government? Until we get a commitment about that from the shadow Chancellor, Opposition complaints about funding are entirely unjustified.

Sir Anthony Meyer: Does my right hon. and learned Friend accept that the welcome improvement in training that he has worked out during his period of office is none the less deficient for those with special training needs, many of whose training schemes will be imperilled by the new system of organisation? Has he any word of comfort for those people?

Mr. Howard: I announced some months ago that for the first time those with disabilities would be included in the aim group, which has a high priority in employment training. Those with disabilities now have a higher priority in training than ever before.

Labour Statistics

2. **Mr. O'Brien:** To ask the Secretary of State for Employment what information he has on the number of job losses in the period 1 June 1990 to 1 February 1991 in *(a)* the Yorkshire and Humberside region and *(b)* for the rest of the United Kingdom; and if he will make a statement.

The Parliamentary Under-Secretary of State for Employment (Mr. Eric Forth): During the seven months June to December 1990, it is provisionally estimated that there were 8,000 confirmed redundancies in the Yorkshire and Humberside region and 62,500 in Great Britain. The estimates are based on the number of redundancies confirmed as having occurred following receipt of a notification under the Employment Protection Act 1975.

Mr. O'Brien: Those figures show that the Government's policy of high interest rates is crippling output and investment and creating unemployment throughout the country. In the Yorkshire and Humberside region over the past few months, bankruptcies have been increasing monthly. There have been more unemployment and more redundancies than ever before, all because of the Government's high interest rates and unified business rate policies. When will the Minister's colleague the Secretary of State create facilities to increase employment and not create further unemployment?

Mr. Forth: I am disappointed but not surprised that the hon. Gentleman should talk his region down. His region has been one of the more robust during this period of economic difficulty. I remind the hon. Gentleman that when he was elected to the House in 1983 there were 3,139 unemployed people in his constituency. The figure is now 2,261. I hope that the hon. Gentleman will be grateful for the fact that his constituency has seen such a dramatic fall in unemployment since he was elected. In the Yorkshire and Humberside region, unemployment is down by nearly 100,000 since 1987.

Mr. Riddick: Does my hon. Friend agree that, because of recent investment and productivity improvements, Yorkshire firms are in a much better position to take advantage of the economic upturn when it takes place than they were in the last recession 10 years ago? Does my hon. Friend not find it rather sickening that Opposition Members talk about unemployment only when it is going up and not when it is coming down?

Mr. Forth: Yes. Typically, my hon. Friend has pointed to the strength and dynamism of his region and is rightly showing a pride in the performance of his constituents and the firms in his constituency. What a contrast that is with Opposition Members.

3. **Mr. John D. Taylor:** To ask the Secretary of State for Employment how many people are unemployed at present and how many people were unemployed 12 months ago.

Mr. Howard: In January 1991 unemployment in the United Kingdom on the seasonally adjusted, consistent, basis was 1,888,500 compared with 1,615,800 a year earlier.

Mr. Taylor: Does the Secretary of State expect unemployment to increase next year at the same rate as

during the past year? As the Government have surrendered their freedom to assist industry by reducing interest rates as a result of their membership of the exchange rate mechanism, will the Government now consider assisting employment figures in the kingdom by reducing the taxation burden on business?

Mr. Howard: The key to the long-term performance of the United Kingdom economy is the rooting out of inflation from that economy. Our membership of the ERM has an important part to play in reinforcing anti-inflationary disciplines. I hope that the right hon. Gentleman will recognise that unemployment in his constituency, which was 4,206 at the last election, is now down by nearly 1,000 to 3,306.

Mr. Gregory: Does my right hon. and learned Friend agree that unemployment would be considerably higher if it were not for tourism, for which he has departmental responsibility? In view of the growth in tourism since 1979 and the present crisis, will he look sympathetically at the possibility of increasing the British Tourist Authority's budget so that unemployment figures do not rise in that growth sector?

Mr. Howard: I agree with my hon. Friend about the importance of the tourist industry, which has made a conspicuous contribution to the reduction in unemployment that we have seen in recent years. My noble Friend the Minister with responsibility for tourism is making an announcement today which will enable the British Tourist Authority and the English Tourist Board to make more funds available for an advertising campaign which will help them to ensure that the industry continues to play an important part in reducing unemployment in Britain.

Mr. Leighton: Is not the present explosion in unemployment the final proof of the Government's failure? Is it not true that in each of the 11 years the Government have been in office unemployment has been higher than it was under Labour? As the economy requires at least 2 per cent. growth to remain stable, and as unemployment is a lagging indicator, is it not true that unemployment will rise for as far ahead as we can see? Will the Secretary of State have the grace to admit in plain English that that is a major failure on the part of the Government?

Mr. Howard: If the hon. Gentleman is making comparisons between what has happened under this Government and what happened under the Labour Government, he should give credit for the fact that there are some 2 million more jobs in Britain now than there were in 1979, that we have one of the lowest rates of unemployment in Europe, and that more than half the people who become unemployed leave unemployment within three months.

Training and Enterprise Councils

4. **Mr. Stevens:** To ask the Secretary of State for Employment how many training and enterprise councils are now operational.

Mr. Howard: Excellent progress is being made in setting up training and enterprise councils. All 82 TECs in England and Wales are now in place, with 51 fully operational. By the summer, the full network will be up and running—a full two years ahead of schedule.

Mr. Stevens: Does my right hon. and learned Friend agree that the enterprise function of the TECs is of great importance and will aid the creation and survival of many small firms in future? But does not he find it regrettable that the Opposition are silent on the TECs' enterprise role?

Mr. Howard: My hon. Friend is right. The TECs' enterprise role is crucial. They attach enormous importance to it. All we hear from the Opposition is that they attach importance to the enterprise role of local authorities.

Mr. Steinberg: Is the Secretary of State aware that since the introduction of the TECs in the northern region many schemes have been cut by between 40 and 50 per cent. and some schemes have had to finish? Is it not a disgrace that many of the trainees who have been made redundant and are now on the scrapheap are the less able ones? When will the right hon. and learned Gentleman do something about it?

Mr. Howard: Trainees have not been put on the scrap heap and the hon. Gentleman should not make allegations of that sort. The interests of trainees are being safeguarded and alternative arrangements made when it is necessary for providers to cease operating. Training and enterprise councils ensure that effective training is provided, which sometimes means that existing providers are no longer able to carry on.

Training Credits

5. **Mr. Andrew Mitchell:** To ask the Secretary of State for Employment if he will make a statement about the progress of the training credit pilots.

Mr. Howard: I was delighted to present the first training credits to young people in Suffolk on 14 February. In the coming months some 45,000 young school leavers throughout the pilot areas will have the opportunity to use training credits to obtain approved training of their choice.

Mr. Mitchell: Are not training credits an innovative and extremely individual approach towards training and very welcome because of that? Do they not mark an enormous contrast with the tired and outdated policies rewrapped by the Labour party which depend, as ever, on compulsion and coercion?

Mr. Howard: My hon. Friend is absolutely right. The Labour party has learnt nothing. Its reaction is always the same—reach for a quango, impose a new tax and introduce a dose of compulsion.

Ms. Armstrong: Does the Minister not realise that training credit money is coming out of other money for training, which has been so savagely cut that many people —certainly those served by the Durham TEC—will lose any chance of training and that the opportunity to link training with employers is diminishing due to rising unemployment? In areas such as north-west Durham the position is critical. It is estimated that the cuts will mean up to 1,000 more people unemployed by the end of March.

Can the Minister tell us how the additional money that he has announced today will save the opportunities for those people to continue in training?

Mr. Howard: The hon. Lady is entirely wrong about the funding of training credits, which included a substantial element of new money. I am sure that she will find that the additional £120 million that I announced today will go a long way towards increasing the resources that the Durham training and enterprise council will have available to meet the training needs of the county.

Mr. Favell: Does my right hon. and learned Friend recall how the Labour party objected when the Government introduced the requirement for young people to report for training if they wished to claim income support—in other words, income support was to be reduced if they did not train? Is he therefore disturbed by the present proposals that the youth training scheme should be abolished?

Mr. Howard: I never know quite what to make of the various suggestions that come from the Labour party about their proposals. Yesterday a new document was produced, which represented yet another change in their proposals. It is such a moving picture that I find it quite bewildering.

Labour Statistics

6. **Mr. Simon Hughes:** To ask the Secretary of State for Employment what has been the number of people registered at the Bermondsey unemployment benefit office for each month from January 1990 until February 1991, inclusive.

Mr. Forth: The information requested for January 1990 to January 1991 can be obtained from the NOMIS—national on-line manpower information system—database in the House of Commons Library. February 1991 figures will be available on 14 March.

Mr. Hughes: The Minister must be too embarrassed to give the figures. Does he concede that there was a 21 per cent. increase in unemployment in the past six months in one of the four docklands constituencies, that there was a 25 per cent. increase in female unemployment, that there is one job vacancy in the local office for every 40 people unemployed and that that is the clearest evidence of the growing recession which is sweeping the south-east, let alone the rest of the country? In a part of the world where the housing service is grossly overstretched, where the health service is pushed to its limits and where the social services cannot cope, is it a sign of success when the Government now tell people that they will lose their jobs as well? Is that a successful economic record?

Mr. Forth: The hon. Gentleman is entitled to put that sort of interpretation upon what is happening if he so wishes, but I should have thought that it would be more realistic to point out that since he was elected in 1983 unemployment has dropped dramatically in his constituency, there are 100,000 fewer unemployed in London than in 1987 and unemployment in this country is lower than the average in the European Community, which I have no doubt that the hon. Gentleman supports with great fervour. I might also mention the large number of imaginative programmes that my Department is making available to the hon. Gentleman's constituents and others to help them over a difficult period if they should lose their jobs. As my right hon. and learned Friend the Secretary of State has already pointed out, more than a quarter of those who lose their jobs come off the register within the first month, more than half leave it within three months and two thirds of those who lose their jobs are off the register within six months. That is a much more positive way of looking at it.

Perivale Skillcentre

7. **Mr. Harry Greenway:** To ask the Secretary of State for Employment if he has any plans to replace the training undertaken at the Perivale skillcentre; and if he will make a statement.

The Parliamentary Under-Secretary of State for Employment (Mr. Robert Jackson): The Perivale skill centre ceased to provide training in mid-1989 because there was ample alternative provision in the west London area. I am satisfied that the position is unchanged and that training is available, as required, under my Department's schemes.

Mr. Greenway: Is my hon. Friend aware that the nearest skillcentre to Perivale is now in Twickenham, which is a long way from Ealing, where skill training has been provided for many years? Does he realise that there are many manufacturing jobs in Ealing, and that training is urgently required—on the spot, in Ealing?

Mr. Jackson: I shall look into what my hon. Friend has said. West London is, however, served by ample public transport networks and there are many providers of training in the west London area. There are 11 major providers of employment training there, with 1,055 trainees contracted locally, and a further 95 with national providers. There are no fewer than 57 major providers of youth training in the area, with some 2,700 young people receiving it. That, surely, is a considerable concentration of effort in west London.

Training

8. **Mr. Patrick Thompson:** To ask the Secretary of State for Employment what was the total number of young people undergoing training on Government programmes in *(a)* 1978 and *(b)* 1990.

Mr. Jackson: In 1978 there were about 6,000 young people on Government training programmes, and in November 1990 there were about 350,000.

Mr. Thompson: I thank my hon. Friend for his reply. Will he remind hon. Members, especially Opposition Members, that the youth training scheme introduced by the Government, which guarantees training for every 16 and 17-year-old who needs it, has been an outstanding success and has helped many young people in Norwich? Will he confirm that extra money will be available in the coming year?

Mr. Jackson: The figures that I gave in my earlier answer speak for themselves—there has been a vast increase in youth training under the present Government. I will, however, give a few more figures. Since 1983, 2·7 million young people have benefited from YTS and YT. Currently some 350,000 are receiving training, of whom 88

per cent. then go into jobs, further education or further training. According to the latest figures, 67 per cent. of those who complete the course acquire vocational qualifications. That is a considerable achievement on the part of the Government.

Mrs. Mahon: What advice would the Minister give Jason Hanson, a 17-year-old in my constituency who has become so desperate that he has written to the local press saying, "I have been made redundant twice and I am only 17"? The reason for those redundancies is the high interest rate imposed by the Government. Jason has tried to get on to a Government training scheme, but has been turned down because of his age; he is also unable to draw any income.

Mr. Jackson: I am, of course, concerned about the individual case that the hon. Lady has raised, but the young man to whom she refers falls fairly within the guarantee of places on youth training that the Government offer.

Mr. Simon Coombs: Does my hon. Friend agree that far too many young people are still being put off youth training by Labour party propaganda? Will he take this opportunity to ensure that all young people are made well aware of what they will be missing if they do not grab the opportunity offered by this successful programme?

Mr. Jackson: My hon. Friend is quite right. We must repeatedly draw attention to the availability and advantages of YT. My hon. Friend is also absolutely right about the Opposition's attitude. They like to talk big about their commitment to training, but when they were in power they were useless at it, with only 6,000 on Government training programmes. No doubt it is that bad record that lies behind the continuing refusal of Opposition spokesmen to give any commitment to funding priorities for training, as compared with increases in consumption expenditure.

Mr. Fatchett: If the new training scheme is as successful as the Minister claims, will he explain to the House why he is prepared to preside over cuts that will reduce the amount of money spent per trainee and reduce the overall budget by more than £130 million over the next two years?

Mr. Jackson: The hon. Gentleman knows perfectly well that the Government are increasing expenditure on YT in the coming year by £38 million over the plan. We are the first Government in British history to provide a guarantee of training to any young person under the age of 18 who is not in full-time education or in work. With the training credits scheme, which is now being piloted, we shall be extending those facilities to young people who are in jobs.

Labour Statistics

9. **Mr. John Marshall:** To ask the Secretary of State for Employment if he will make a statement about trends in unemployment in Barnet since 1983.

Mr. Forth: In June 1983 unemployment in the Barnet local authority district was 9,477; in June 1987, when my hon. Friend was elected to this House it was 9,633; but in January 1991 it was down to 7,144.

Mr. Marshall: Does my hon. Friend agree that that dramatic improvement is due to the fact that, since 1983, there has been an increase of 500,000 in the number of people in jobs in Greater London? Does he agree that that illustrates how the social market economy creates jobs? Does he further agree that minimum wage legislation would destroy all those jobs?

Mr. Forth: Yes. I add to what my hon. Friend has rightly said by pointing out that there are now 100,000 fewer people out of work in Greater London than there were in 1987. My hon. Friend is right to point out that some of the proposals that we believe may be emanating from the Opposition Benches—although we can never be quite sure—such as a minimum wage, levies, taxes and compulsion, would all conspire to increase the level of unemployment. The Opposition would be disgraced if they admitted to that.

10. **Ms. Short:** To ask the Secretary of State for Employment if he will make a statement on current levels of unemployment and the projections of future unemployment made by economic forecasters.

Mr. Howard: In January 1991 the level of unemployment, seasonally adjusted, in the United Kingdom was 1,888,500. In line with the practice of previous Governments, we do not forecast the level of unemployment.

Ms. Short: Will the Secretary of State admit that unemployment is rising rapidly—particularly in the south-east, where people face the tragedy of losing their job and then losing their house, which is a terrible experience for any family? Is the Secretary of State aware that many people in this country still have not recovered from the enormous growth in unemployment in the early 1980s? Will the right hon. and learned Gentleman now apologise for the incompetence of his Government which has damaged the British economy and so many people's lives so badly?

Mr. Howard: I should have thought that the hon. Lady would point out that, in her constituency of Birmingham, Ladywood, unemployment was 10,319 when she was elected in June 1983; it was 8,892 in June 1987; last month it had come down to 5,940.

Mr. Ashby: Is my right hon. and learned Friend aware that, in 1983, unemployment in my constituency was 16 per cent. whereas today it is 4·6 per cent. and that the number of jobs becoming available is increasing?

Mr. Howard: My hon. Friend's experience is characteristic of what has happened to the United Kingdom economy: we have 2 million more jobs now than when Labour left office in 1979.

Mr. McLeish: Does the Secretary of State agree that the £120 million announced for the unemployed is woefully inadequate when measured against the forecast of 2·5 million unemployed this year—the fastest rising unemployment rate in Europe—and a cut of £360 million in the ET budget? Does the right hon. and learned Gentleman intend to introduce a temporary work programme for the unemployed?

Mr. Howard: It is no use Opposition spokesmen coming to the Dispatch Box and complaining about funding for training when the shadow Chancellor consistently refuses to make training one of the two

immediate priorities on which Labour would increase spending. Opposition Members should have a word with the shadow Chancellor.

Mr. Simon Hughes: On a point of order, Mr. Speaker.

Mr. Speaker: Points of order take up time. I have not heard anything out of order. What is it?

Mr. Hughes: There have been five questions about unemployment. In the answers to four of those, Ministers gave figures. Why were no figures at all given in reply to the question about inner London? Is that in order?

Mr. Speaker: I am not responsible for the answers that are given.

Mr. Ieuan Wyn Jones: The Secretary of State is now to be informed for the third time that the sector of the unemployed who need urgent help are those with special needs. He must be aware that training and enterprise councils are reducing the numbers of places for such people as a result of substantial cuts in their funding. Will he now reply to the question that was put to him from the Labour Front Bench by stating that the funds lost as a result of those cuts will be restored following the announcement that he made today?

Mr. Howard: I repeat that, as a result of their inclusion in the aim group, people with disabilities have higher priority for employment training than they have ever had. I hope very much that the additional £120 million that I announced today will help training and enterprise councils to make more provision for those with special needs.

Mrs. Maureen Hicks: Many unemployed people are hopeful that they will gain places in training schemes, or will secure jobs, as a result of attendance at the very successful Government-sponsored job clubs. Those who attend these clubs testify to their success. Will the Secretary of State consider providing, in addition to the benefits that are already available, assistance with the travelling expenses of those attending interviews?

Mr. Howard: I shall certainly consider my hon. Friend's request. She is quite right to draw attention to the success of job clubs. We plan to create up to 100,000 extra opportunities in job clubs and through the job interview guarantee scheme next year.

Training

11. **Mr. Roy Hughes:** To ask the Secretary of State for Employment if he has made any recent comparison of facilities available and the percentage of people trained in the United Kingdom and in Germany and France.

Mr. Howard: I visited France last month, and Germany last year, to look at their training arrangements. Despite the differences in approach, which make accurate statistical comparisons difficult, I found general agreement that successful competition in the 1990s will depend on employers' improving significantly the level of skill in their labour force.

Mr. Hughes: Does the Secretary of State recognise that Britain has an annual trading deficit of £15 billion to £16 billion and that many shrewd economic observers put this down to poor training facilities and the lack of skilled people? In these circumstances, and despite the sweetener that he has handed out today, is it not the economics of the lunatic asylum to contemplate the provision of £500 million for training over the next two years?

Mr. Howard: If the hon. Gentleman is so concerned about the funding of our training programme, I am surprised that he did not welcome the very substantial additional funds that I announced today. We have in place the right training framework to ensure that our people will have the skills they need to compete effectively in the markets of the 1990s, and there is abundant evidence that our policies are working extremely effectively.

Mr. Butterfill: Does my right hon. and learned Friend agree that even more facilities for employment training would be required if we were to adopt the Labour party's policies and introduce statutory minimum wages and impose restrictions on part-time workers?

Mr. Howard: My hon. Friend is, of course, entirely right. The policies of the Labour party would lead to a very substantial loss of jobs. Labour Members show no recognition of the fact that there is no point in talking about training if one is not prepared to have adequate differentials to reward those who acquire the skills that training makes possible.

Labour Statistics

13. **Mr. Skinner:** To ask the Secretary of State for Employment what are the latest figures for unemployment in the United Kingdom and what were the figures for June 1979.

Mr. Howard: The level of unemployment in the United Kingdom on the seasonally adjusted, consistent, basis was 1,888,500 in January 1991 compared with 1,067,500 in June 1979.

Mr. Skinner: After more than 11 years, the Government have managed to push up their fiddled employment figures by more than 800,000. The chances are that, in the course of this year, unemployment will worsen. In the past few months, we have seen a further demonstration that it is possible to organise a war economy. Why, then, do not the Government use the same expertise to get rid of the dole queue?

Mr. Howard: Why does not the hon. Gentleman recognise that 2 million more people are in work now than in 1979 when his party last left office? This country has more people in work than ever before and one of the lowest unemployment rates in the whole of the European Community.

Mr. Quentin Davies: Does my right hon. and learned Friend agree that, if one wants to increase employment, one should not increase the cost of labour to employers? Therefore, are not proposals to impose a compulsory training tax or a statutory minimum wage fatuously inappropriate and potentially destructive?

Mr. Howard: My hon. Friend is entirely right. The statutory minimum wage proposal alone would destroy 750,000 jobs and the Opposition's policies would combine to ensure that unemployment rose to record levels.

Mr. Graham: Is the Secretary of State aware that, in Scotland, every time we hear an announcement that unemployment is rising we call it the Tory fiddlers' rally,

because we do not believe the figures. Just last week, there were savage cuts in training—*[Interruption.]*—so much so that it was like the new Secretary of State sending the bride to the wedding without her wedding dress. That is the extent of the problem that the Government have created. There is a lack of funding to ensure that people can find jobs—*[Interruption.]*

Mr. Speaker: Order. Did the Secretary of State hear that?

Mr. Howard: I think, Mr. Speaker, that the hon. Gentleman was telling us how exceptionally well the Scottish economy is doing, and I entirely agree with him.

Industrial Disputes

14. **Mr. Waller:** To ask the Secretary of State for Employment what was the number of working days lost because of industrial disputes in the six months to *(a)* December 1978 and *(b)* December 1990.

Mr. Forth: There were 6 million working days lost in the six months to December 1978; in the six months to December 1990, just 300,000 days were lost. That is less than one twentieth of the 1978 figure.

Mr. Waller: Does my hon. Friend detect a link between the sharp reduction in the number of strikes and the Government's industrial relations reforms? Does he recall that the right hon. and learned Member for Monklands, East (Mr. Smith) called ballots an irrelevant effrontery? Do not the consequences since that time prove that his verdict is entirely wrong?

Mr. Forth: Yes, my hon. Friend is right to say that the Government's steady but consistent policy of reform of industrial relations has brought the trade unions into a proper relationship with their members and society at large. A vital by-product of that process is the dramatic fall in industrial strikes, which has been a major factor in attracting inward investment to this country and in increasing employment.

Mr. Tony Lloyd: Will the Minister confirm that, every year since 1978, the number of days lost through injury and health problems at work has vastly dominated losses in every other sphere? Why are there ministerial tantrums when the issue of industrial disputes is raised, but complacency and inaction when people are injured or die at work?

Mr. Forth: I am disappointed that the hon. Gentleman should criticise the excellent work of the independent Health and Safety Executive and Health and Safety Commission, which discharge fully and effectively their responsibilities under the Health and Safety at Work etc. Act 1974. They have our full support. I am sorry to see that they do not have the Opposition's support.

Company Closures

15. **Mr. Nicholas Winterton:** To ask the Secretary of State for Employment how many mill and company closures and redundancies have been notified to his Department in each of the last six months by the textile and clothing industry and the paper and board industry; and if he will make a statement.

Mr. Jackson: As the reply consists of a table of figures, I shall, with permission, arrange for the information to be printed in the *Official Report*.

Mr. Winterton: Does my hon. Friend accept that the textile and clothing and the paper and board industries are vital to many regions of this country, are essential to this country's economy, that many people are employed in them and that they have made many investments? Will he use the best expertise of his Department to ensure that other Departments of State, particularly the Treasury, realise that high interest rates are killing those industries, which are not operating on a level playing field? Those industries are essential if this country is to play its part in the future of the European Community and the world at large.

Mr. Jackson: I agree that those industries are important. I shall draw my hon. Friend's remarks to the attention of my right hon. and hon. Friends in the relevant Departments.

Mr. Beggs: The textile and clothing and paper and board industries are of great importance to us in Northern Ireland. Will the Minister seek the co-operation of his Government colleagues to ensure that, in future GATT negotiations, as much protection as possible will be afforded to our textile and clothing industry in Northern Ireland and throughout the United Kingdom?

Mr. Jackson: We all understand in the House that the only sure basis on which industry can succeed is to be competitive. That is why it is Government policy to phase out the protection arrangements in the textile industry, although we shall do so over a long period. That is a matter for the Department of Trade and Industry. The GATT negotiations are about to resume and they will provide an opportunity to further pursue such matters.

Following is the information:

	Textile footwear and clothing				*Paper, printing and publishing*			
	Notifications quoting closure as reason		*All notified redundancies*		*Notifications quoting closure as reason*		*All notified redundancies*	
	Establishments	*Employees*	*Establishments*	*Employees*	*Establishments*	*Employees*	*Establishments*	*Employees*
1990								
August	18	882	34	2,062	12	584	25	930
September	14	867	38	1,640	5	105	15	515
October	14	977	41	2,069	7	176	45	1,555
November	13	597	45	1,708	11	347	34	1,066
December	11	1,073	32	1,781	9	574	28	945
1991								
January	16	1,686	31	2,169	10	371	33	898

PRIME MINISTER

Engagements

Q1. **Mr. Andrew MacKay:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister (Mr. John Major): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Mr. MacKay: Will my right hon. Friend confirm that there can be no ceasefire in the Gulf war until all relevant United Nations resolutions have been fully implemented, prisoners of war and Kuwaiti hostages held in Iraq have been released and all Iraqi troops have laid down their arms?

The Prime Minister: I entirely agree with my hon. Friend, but unfortunately the conditions that he so succinctly set out have not yet been met. As my hon. Friend will know, Saddam Hussein spoke again this morning, but without giving any indication whatsoever that Iraq will comply with all the Security Council resolutions. Instead, this morning Saddam Hussein reiterated his untrue claim that Kuwait was part of Iraq and threatened implicitly to return. He must know that meeting the Security Council resolutions is an essential step, and he must publicly and explicitly do so.

I believe that we are now in a new situation with the beginning of the ground war. Our first concern has to be with the safety and security of our forces—[HON. MEMBERS: "Hear, hear."] That means that we require all Iraqi forces in the theatre of operations—those occupying and those supporting the occupation of Kuwait—to abandon their weapons and equipment, and withdraw. Until they do so, they will be treated as hostile.

Saddam Hussein started this war on his terms. He must end it on the terms set out by the United Nations.

Mr. Kinnock: May I take this opportunity strongly to commend our forces for the bravery and professionalism that they are showing in the liberation of Kuwait? Does the Prime Minister share my view that Saddam Hussein could halt the war instantly if he were personally to announce his complete compliance with all relevant United Nations resolutions and, in addition, immediately release all the prisoners of war and civilians he is holding against their will in both Kuwait and Iraq?

Finally, is it not clear that if Iraqi forces leave their military vehicles and lay down their arms, they will be safe from attack, our forces will know that they are also safe from attack, and all hostilities can end?

The Prime Minister: The right hon. Gentleman is entirely right and I agree with him without reservation. He will know that, even this morning, Saddam Hussein said —I shall quote him because there was an implicit threat in what he said:

"the Gates of Constantinople were not opened before the Muslims in the first struggling attempt."

That is the clearest threat that he will yet again return. We have a duty and an obligation to remove that threat using all necessary means.

Dame Janet Fookes: As Saddam Hussein, like the devil, is the father of lies, would my right hon. Friend ensure that all in authority take not the slightest notice of what he says, but only of what he does?

The Prime Minister: I can certainly give my hon. Friend that assurance. There have been many occasions in recent months when Saddam Hussein expressly told untruths. At one stage, his Foreign Minister was negotiating on one tack while he was speaking and acting on another. We simply cannot and do not trust him.

Mr. Ashdown: Does the Prime Minister agree that, despite today's welcome news, there is still much hard and potentially costly work to be done before Kuwait is made secure? He is entirely right to say that the safety of our troops and the long-term security of Kuwait mean that any Iraqi troops who wish to return home may do so, but only after they have surrendered their weapons. If they do so, will he say that, once Kuwait is at last liberated, secure and free from threat, Desert Storm will end?

The Prime Minister: The right hon. Gentleman is quite right. Those are the circumstances in which Desert Storm can end. He is right to emphasise yet again the safety and security of our troops. Frankly, I do not believe that either they or world opinion would forgive us if, at this stage of the conflict, we permitted the Iraqis to withdraw with their weapons, perhaps with risk to our troops and the risk that they would return later.

Q2. **Mr. Robert G. Hughes:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Hughes: Can my right hon. Friend confirm that the Government have established 12 regional technology centres to aid technology transfer? Can he also confirm that under this Government, the number of science parks has increased from two to 39 with 22 more planned and that spending on civil research and development is higher, as a percentage of the gross national product, in this country than in Japan or in the United States? Does he agree that calls for the establishment of such policies, when they are already in train, merely demonstrates that those who call for them show muddle and ignorance, which dominate Labour party thinking?

The Prime Minister: I cannot immediately imagine to what document my hon. Friend is referring. If, perchance, he is referring to the document on industrial and manufacturing matters that was released yesterday by the Labour party, he is a little unkind. There were some good ideas in that document. Unfortunately, the good ideas are already being implemented and the bad ideas are being recycled.

Mr. Allen McKay: Does the Prime Minister agree with the Secretary of State for the Environment who wants to do away with the poll tax or with the Minister of State for the Environment who has gone on record in the Ribble Valley by-election as saying that he wishes to keep it?

The Prime Minister: The next Member of Parliament for Ribble Valley, who I hope will soon be on the Conservative Benches, will be here in time to hear the result of our review of the community charge.

Q3. **Mr. French:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. French: Does my right hon. Friend agree that an industrial policy that is based on the creation of quangos, subsidies and inadequately costed tax breaks is, as the *Financial Times* called it this morning, a "recipe for . . . economic distortion"?

The Prime Minister: I agree with my hon. Friend, but, again, I fear that he is being too charitable. He has forgotten the reinvention of the son of National Enterprise Board, an enterprise which took money away from viable businesses to pick winners which, alas, went bust.

Mr. Alfred Morris: What emphasis will the Government put on reparations from Iraq and to what extent will they be demanded? Moreover, what is the attitude of other Governments in the coalition?

The Prime Minister: The attitude is set out in the Security Council's resolutions. All Governments in the coalition subscribe to them and that remains the position.

Q4. **Mr. Ian Taylor:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Taylor: This House has been powerfully united against the terrorism practised by Saddam Hussein in Kuwait. Does my right hon. Friend agree that it is important that the House is also united against the evil acts of terrorism in this country and that it supports all measures, including the Prevention of Terrorism (Temporary Provisions) Act 1989? Will he have a word with the Leader of the Opposition to encourage him to be more robust on the issue?

The Prime Minister: No one doubts the commitment of the whole House to deal effectively with terrorism and not to give way to it. In my judgment, the widest possible support for the Prevention of Terrorism (Temporary Provisions) Act would be a welcome event and would help to that end.

Q5. **Mr. Ron Brown:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Brown: I know that the Prime Minister is involved in many important duties. However, will he understand one thing? The real enemy is at home; the enemy is the capitalist system and the Tory Government. They are responsible for the problems of the British people.

We have an example of a state-owned British company wishing to take over the fertiliser business, presently owned by ICI. That is blocked because of the Government's blind party dogma. If we want investment in this country, is not that unfair to workers who may lose their jobs, especially in Leith, where there is a subsidiary owned by ICI called Scottish Agricultural Industries? Is not that wrong?

The Prime Minister: It is a rum occasion when I have to take lessons in dogma from the hon. Gentleman.

Q7. **Sir Hugh Rossi:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Sir Hugh Rossi: As a successful end to the hostilities in the Gulf is happily within reach, will my right hon. Friend now ensure that the allies will combat, with the same vigour and single-mindedness of purpose, the premeditated ecological vandalism perpetrated by Saddam Hussein? It places at risk the worldwide environment from acid deposition, from accelerated global warming and from desertification, and it also pollutes and poisons the waters of the Gulf.

The Prime Minister: My hon. Friend is right and he touches on an important point. The United Kingdom has already made a substantial contribution to help to deal with the pollution caused by the Iraqis in recent weeks. I am sure that my hon. Friend is right. An international effort will be needed and we will be part of that.

Q8. **Mr. Battle:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Battle: As it is clear that some of the right hon. Gentleman's Social Security Ministers want to continue the freeze on child benefit and that some do not, will he tell us which ones he will back? Will he pledge now to make good the four-year cut in child benefit or will people have to rely on his one-off, occasional piecemeal statements at the Dispatch Box for their basic benefits?

The Prime Minister: The hon. Gentleman knows very well that there are occasions when we make statements on public expenditure matters such as child benefit. This is not one of them.

Mr. Dunn: When accounts are rendered for the Gulf war, will the Prime Minister seek to obtain an explanation of the extraordinary behaviour of the Soviet Union in recent days? Will he make it plain to the Soviet Government that they can play ball either with the west or with Iraq, but not with both?

The Prime Minister: I shall have the opportunity to discuss all those matters with Mr. Gorbachev early next week.

Q9. **Mr. McAllion:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. McAllion: Is the Prime Minister aware that hundreds of young Scots, half of them aged under 18, pass through London's night shelters every year and that research has shown that on average each of those youngsters has less than £2? Why does the Prime Minister continue to deny to the 16 and 17-year-olds among them the right to benefit? Is the fate of those youngsters who

have been thrown on to the streets and are vulnerable to drugs and prostitution a matter of complete indifference to the Prime Minister and his Government?

The Prime Minister: The hon. Gentleman is entirely wrong, as he knows. We have provided unprecedented training opportunities for young people of that age. There is no necessity whatsoever for any of them to be sleeping rough on the streets of London.

Q10. **Mr. Thurnham:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Thurnham: Does my right hon. Friend agree that just as the world recognises the strength and discipline of our armed forces, so it should recognise the strength and discipline of our economy? Is not our pound sterling as strong as Chobham armour?

The Prime Minister: I agree. My hon. Friend will know that there has been a remarkable series of events in recent months and he will also know that sterling has remained remarkably stable despite those events.

Mr. Hume: During his visit to Northern Ireland last week, did anyone raise with the Prime Minister the security value of fixed military checkpoints? Did anyone point out that over the past 20 years nothing of security value has been found at such checkpoints, and that they have become security risks providing targets in the form of the young soldiers and policemen who man them? Is the Prime Minister considering reviewing the use of such checkpoints?

The Prime Minister: I discussed a raft of security matters during my meetings in Northern Ireland last week. However, the hon. Gentleman is aware that it would be unwise to discuss them.

The Gulf

3.31 pm

Mr. Gerald Kaufman (Manchester, Gorton) *(by private notice)*: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the report that Iraqi troops have been ordered to withdraw from Kuwait.

The Secretary of State for Defence (Mr. Tom King): In the absence of my right hon. Friend the Foreign Secretary, I have been asked to reply.

Last night, there was a report on Baghdad radio that Iraqi forces had been ordered to withdraw from Kuwait. In a broadcast this morning, Saddam Hussein appeared to confirm this. At the same time as this order was apparently given, however, two further Scud attacks were launched, one of which caused a large number of casualties among United States forces in Dhahran. At this time, we have no reliable information and evidence of a general Iraqi withdrawal from Kuwait. In many areas in southern Iraq and Kuwait, Iraqi forces are retreating, but as a result of allied military action. British and allied troops are still in contact with Iraqi forces.

As my right hon. Friend the Prime Minister said a few minutes ago, what we require now is that Saddam Hussein publicly and explicitly accepts all the Security Council resolutions. To ensure the safety and security of our forces, we require all Iraqi forces in the theatre of operations, both those occupying Kuwait and those supporting the occupation, to abandon their weapons and equipment and withdraw. Otherwise, they will continue to be treated as hostile.

Mr. Kaufman: Will the right hon. Gentleman agree with me that, if Saddam Hussein had, on 2 August, made the announcement that he has belatedly made today, he would have prevented loss of life and suffering among Kuwaitis, in the coalition forces, and, not least, among the people of Iraq whom he has victimised? Does he also agree that the sooner the war ends the better for everyone, and that the war can end as soon as necessary conditions have been fulfilled?

Those conditions include full and unequivocal acceptance by Saddam Hussein of all 12 United Nations Security Council resolutions; proper supervision arrangements for the Iraqi withdrawal, with Iraqis leaving behind arms and equipment that could enable attacks to be made on coalition forces and possession of which might lead members of the coalition forces, in the interests of their own safety, to fire upon retreating Iraqis; full disclosure on the spot to coalition forces of all minefields and other defence systems that could cause loss of life to our service men and women; a clear and verifiable commitment not to launch any further Scud missile attacks on Saudi Arabia, Israel or any other neighbouring countries; release of all coalition prisoners of war and of Kuwaiti detainees, and immediate access to our prisoners of war by the International Red Cross.

Will the right hon. Gentleman confirm that the coalition war aims have not changed and remain as stated in the House last Thursday by the Minister of State, Foreign and Commonwealth Office, when he said that our objectives are

"the full and unconditional withdrawal of Iraqi forces from Kuwait, the restoration of the legitimate Government of that country and the restoration of peace and security in the region."—[*Official Report*, 21 February 1991; Vol. 186, c. 455.]—

but that we do not intend to occupy Iraq, we do not intend to change the borders, and we do not wish the destruction of its economy?

Will the right hon. Gentleman join me in paying tribute to our armed forces, whose courage and professionalism have brought about this precipitate collapse of Saddam Hussein? Does he agree that, now that Saddam Hussein has been forced to abandon his hypocritical attempt to link the Kuwait issue with the Palestine issue, the path is open to deal with the Palestine issue? Does he also agree that the best way to build on what our forces have achieved is now to turn our hand to a comprehensive settlement, under United Nations auspices, of all the problems of the middle east?

Mr. King: I am grateful to the right hon. Gentleman, and I am sure that the whole House will strongly support what he has said. I can confirm his first point straight away —that, if Saddam Hussein had been prepared on 2 August to fulfil the assurances that he appears to be giving now, an awful lot of pain, grief and suffering would have been avoided. In his supplementary questions the right hon. Gentleman correctly drew out the fact that, having involved Kuwait, the coalition and the world in all the pain and suffering, the terms now for Saddam Hussein's successful withdrawal from Kuwait and for the successful ending of the conflict are not the same as they would have been on 2 August if he had had the sense to accept them then.

I am grateful for what the right hon. Gentleman said about our armed forces. Before coming to the House, I spoke to General de la Billiere, who confirmed to me the excellent spirit and commitment with which our forces are carrying forward the campaign. I was especially struck by one of his comments, that many of the prisoners who are now being taken have not had any food for six days. He commented on their pleasure at being captured and at having some prospect of reasonable treatment in captivity, which they have certainly never had under the oppressive regime of Saddam Hussein.

Mr. Tony Marlow (Northampton, North): Could my right hon. Friend pass on to our armed forces the indebtedness of the whole House for their courage, effectiveness and efficiency over the last few weeks, without which we would not have arrived at the present relatively improved position? Now that we are looking from Kuwait to peace and security within the region, can we also look to other United Nations resolutions, as the right hon. Member for Manchester, Gorton (Mr. Kaufman) said, and see to it also, now that we are ending the occupation of Kuwait, that other occupations in the region are likewise addressed?

Mr. King: I appreciate what my hon. Friend has said about the courage and commitment of our forces and about seeking a solution for other territories. Perhaps I could now clarify the point raised by the right hon. Member for Manchester, Gorton (Mr. Kaufman) about any change in the war aims. I apologise for not addressing that in my reply to him. There is no change in the war aims, and I can confirm to the House that we have no territorial ambitions. The hon. Member for Clackmannan (Mr. O'Neill) also addressed that point to me yesterday. I

[Mr. King]

should like to make it absolutely clear that we do not seek to acquire the territory of Iraq. It is a military necessity that we have to proceed through Iraq for the liberation of Kuwait. It may well be that, in the initial aftermath of this activity, we shall need to ensure the security of Kuwait in some way, but we have no long-term territorial ambitions. We seek no change in borders. I give the House that assurance.

Mr. Tony Benn (Chesterfield): Is the Secretary of State aware that, as the Prime Minister and others have said in the House, time and again, that, if Iraq withdrew from Kuwait, the war would end and, as an order to the Iraqi troops to withdraw has now been given, it is wrong to continue the brutal savagery of warfare on both sides——

Hon. Members: Disgraceful.

Mr. Speaker: Order. The right hon. Gentleman has the absolute right to express his view.

Mr. Benn: —including air raids on Baghdad this morning? Does he agree that millions of people in the world——

Hon. Members: No.

Mr. Speaker: Order. As the House well knows, this is a place where every hon. Member has freedom of speech.

Mr. Benn: Millions of people in the world want the killing to stop now, and there is no United Nations authority for the terms which the Secretary of State announced today. Indeed, the Security Council was not even allowed to discuss the Soviet peace proposals before the American ultimatum was issued last Friday.

Mr. King: One of the tragic things about the past months of this awful conflict has been the total inability of the right hon. Gentleman to see things in any balanced way. As he knows perfectly well, the allied campaign for the liberation of Kuwait has been conducted at all times with the greatest commitment to minimising civilian casualties. He will know that, for such a degree of conflict, that has been achieved in a remarkable way. He will know, because he can see it if he looks at any of the pictures, the readiness and happiness of the Iraqi soldiers to surrender, give themselves up and have some prospect of decent treatment. He knows perfectly well that the place where the conflict, suffering, killing and murdering is taking place is not at the front line, where Iraqi forces are surrendering readily, but in Kuwait, against the defenceless citizens who have been so disgracefully treated.

Mr. Cranley Onslow (Woking): When my right hon. Friend mentions those appalling atrocities committed in Kuwait, does he also agree that it must be an aim of the United Nations forces that any Iraqi individuals or units which have been responsible for barbarous behaviour must be captured and brought to trial, or at least have their crimes thoroughly investigated, before they are allowed to return to Iraq? Will my right hon. Friend endorse that?

Mr. King: I can assure my right hon. Friend that that point is very much in the minds of the military commanders in the area. We have already warned every Iraqi by leaflets and other methods of the personal responsibility that he bears under international law. We are making every effort to ensure that evidence will be collected about any atrocity or outrage committed. I can say, without disclosing any military secret or operations, that there is a major effort to ensure that those who have committed atrocities in Kuwait City have the least chance of getting away before evidence can be gathered against them.

Mr. Menzies Campbell (Fife, North-East): Does the Secretary of State agree that the natural desire both inside and outside the House for an early end to hostilities should not be allowed to obscure the unsatisfactory nature of the offer to withdraw which Saddam Hussein has made? Does he further agree that, if any offer were accepted which constituted less than the full implementation of all the United Nations resolutions, the likelihood of a further outbreak of hostilities in due course would be considerable?

Mr. King: I very much agree with the hon. and learned Gentleman. Those who can see this in any balanced way would think it absolutely incredible, after the aggression that has been committed and the outrages and behaviour that we have seen, if we merely stood back and allowed Iraqi forces and all their equipments and armaments to pass in review order down the road so that they could regroup and possibly commit exactly the same aggression again.

Mr. Churchill (Davyhulme): Bearing in mind the suffering, the torture, the rape and the murder for which Saddam Hussein and his army of occupation have been responsible, as well as the casualties that he has inflicted on Israel and the allied forces, is it not wholly unacceptable even to consider any possibility of his army of occupation, including the Republican Guard, in the Kuwaiti theatre of operations being allowed to leave before they have fully surrendered to the allies?

Mr. King: The words of my hon. Friend are, I am afraid, all too accurate about all the evidence that we have of what has been happening in Kuwait and in Kuwait City. The news that we are receiving about what has been happening to Kuwaitis at the hands of Iraqi soldiers and the Iraqi military is extremely distressing. It is for that reason that we have taken such a strong view. We have found it necessary to conduct a campaign which we did not seek. We are not now going to leave it unfinished. We will see Kuwait liberated; we will see that Kuwait stays liberated.

Mr. Ernie Ross (Dundee, West): Although I agree with everything that my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) said, will the Secretary of State assure us that, if the Security Council requests it or, from Baghdad, Saddam Hussein accepts entirely the 12 United Nations resolutions, the coalition forces will immediately give access to the international organisations which would be the most appropriate bodies to carry out the functions that will be required? For instance, the International Committee of the Red Cross is the most appropriate organisation to deal with prisoners of war. Will the Secretary of State confirm that the emphasis placed by the Government on the United Nations resolutions will continue, so that young lives and the civilian lives will not have been lost for nothing and

that we will soon see the United Nations Security Council sitting down to discuss a meaningful set of proposals that would result in a comprehensive middle east peace?

Mr. King: On the first point, in relation to the International Committee of the Red Cross, we will honour our obligations entirely. Right hon. and hon. Members have seen pictures of the way in which we are trying to deal humanely with prisoners. We have seen pathetic pictures on television of the gratitude clearly shown by the Iraqis for the treatment, which is not what they would have expected to get from their own punishment squads who lay behind them. We will give full access to the International Committee of the Red Cross.

If Saddam Hussein wishes to see an end to the conflict, one of our requirements is that we have immediate access through the Red Cross to our prisoners of war. We want their names; we want to know who they are. We want to give reassurance to their families that they are still alive —knowledge which, sadly, is still lacking for many of them. On the further point that the hon. Gentleman has raised, my right hon. Friend the Foreign Secretary has made our position very clear; we wish to see the conflict settled and the aggression ended, so that we may address the other serious issues that need to be addressed in the area.

Mr. James Kilfedder (North Down): Does the Secretary of State agree that the violent, bellicose and lying language used by President Saddam in his broadcast to the people of Iraq negates and rebuts his alleged acceptance of the Soviet peace proposals, and sows the seeds of further aggression in the Gulf? Will he convey to the relatives of the American soldiers killed in the Scud attack yesterday, at the time that President Saddam was supposed to be making peace offers, the sympathy of the people of the United Kingdom, bearing in mind the heavy burden that the American forces are bearing in the Gulf?

Mr. King: On the latter point, I know that the whole House will share the feelings that the hon. Member has expressed about the tragic, unlucky accident with the Scud warhead last night and the severe suffering of the American forces. He is right to draw attention to the unreliability of Saddam Hussein. I would not dream of recommending to the House or to anybody else that they accept any speech of Saddam Hussein's at face value. From their experience of dealing with him, there are not many Iranians or many other Arabs either who would do that. I remind the hon. Gentleman that the reason we are in a difficult position now is that Saddam Hussein lied directly to the King of Saudi Arabia and to the President of Egypt.

Mrs. Margaret Ewing (Moray): In paying tribute to all the allied troops and ancillary services, may I ask the right hon. Gentleman to agree that we have a responsibility to ensure that no allied lives will have been, or may be, lost in vain? In that context, can he confirm that a detailed analysis of the speech by Saddam Hussein shows that it was his clear intention to regroup and return to the battle at a future date? Will he assure the House that no settlement will allow that facility, bearing in mind the fact that the long-term hopes for peace in the region are based on him never being given that opportunity?

Mr. King: I am grateful for what the hon. Lady says. She is precisely right in her reading of that speech. We shall not expose any of our forces—as she knows, many young Scots are among the British forces in the Gulf—to unnecessary risk.

Sir Bernard Braine (Castle Point): Is my right hon. Friend aware that last week, on behalf of the all-party human rights group in the House, I took evidence from witnesses from Kuwait who detailed the most horrific crimes, starting with the invasion at the beginning and apparently continuing now? Is any effort being made by our people on the spot to record those details, in conjunction possibly with the Kuwaiti authorities, so that those responsible can be brought to account at the appropriate time?

Mr. King: I do indeed know of the evidence on the occasion to which my right hon. Friend refers, and I understand that much of the evidence was extremely distressing. I assure him that there is great determination among the allies, the Kuwaiti authorities and the Kuwaiti resistance to try to ensure that any evidence that can be brought is brought and that those who may have been responsible for perpetrating those crimes are not able in the next few hours to slip away.

Mr. Tony Banks (Newham, North-West): May I draw the attention of the right hon. Gentleman to early-day motion 533 entitled "The Tory Party and Saddam Hussein"? It points out that, of the 31 motions on the Order Paper critical of Saddam Hussein and what he has done to his own people and others in the region, only one motion was tabled by a Conservative.

Under those circumstances, Labour Members need no lectures about the evil of Saddam Hussein from incompetent unimaginative and hypocritical Ministers. When the war is over, will the British Government be announcing an arms embargo to the middle east to make sure that we do not create another Saddam Hussein whom our brave troops will then have to move on and disarm?

Mr. King: My understanding—I will withdraw if I have it wrong—

Mr. Banks: The right hon. Gentleman gets most things wrong.

Mr. King: —is that the hon. Gentleman voted against every motion in support of resolute action against Saddam Hussein. The one voice that we need to go from this House at this time to our forces engaged in the challenging task to which we have asked them to put their hand is the voice of support from us all for the importance of the work that they are doing.

Mr. Patrick Cormack (Staffordshire, South): Will my right hon. Friend take every step to ensure that first the prisoners, for whom we all feel extremely sorry, and then the whole population of Iraq, are made aware of the foul nature of the bestial crimes committed by this tyrant against their Arab brethren?

Mr. King: We have our suspicions, but in the days ahead we may well discover a good deal more—even worse than some of the things to which my right hon. Friend the Member for Castle Point (Sir B. Braine) referred. I do not want to say more now, but some of the information coming through to us is very grave indeed.

Mr. John Home Robertson (East Lothian): The whole House should be grateful to the service men of all the

[Mr. John Home Robertson]

nations of the coalition who have achieved the liberation of the small country of Kuwait. Does the right hon. Gentleman agree that we now owe it, as politicians, to those service men to ensure that we achieve a lasting peace, which must mean a fair settlement for the Iraqi people and —this is of extreme importance—include the settlement of the other outstanding United Nations resolutions concerning the region and affecting Palestine?

Mr. King: The first thing that we need to do, having asked our forces to risk their lives in this conflict, is to ensure the right outcome. That is why my right hon. Friend the Prime Minister and President Bush today issued a statement about the basis on which the conflict can be settled. Nobody wants the conflict to go on for any longer than necessary, but we have a duty to our forces to see that the terms on which it is settled are fair and safe for them. As soon as we have settled this conflict, we can address other issues.

Mr. Ivan Lawrence (Burton): The Government's and the coalition's planning and handling of the war effort have been superb, largely due to the courage, brilliance and professionalism of our troops. Does the coalition have a plan for the immediate handling of the peace and, if so, could someone tell us what it is?

Mr. King: Considerable work is being done. If the peace to which my hon. and learned Friend refers is peace in Kuwait, that of course has very much concerned the Government of Kuwait. It will be a challenging task, and while much preparatory work has been done, there is no question but that the task has been made even more difficult by the increasing reports of damage. My hon. and learned Friend may have heard this morning one reporter who said that it is quite clear that the main activity in the last days of the Iraqi forces has been to do as much damage as they can to Kuwait and very little to conduct a proper defence.

Mr. Max Madden (Bradford, West): Does the Secretary of State accept that, if civilian and military lives, including the lives of young British service personnel, are to be saved, the war must be brought to an early and orderly end, with the best possible lines of communication between politicians of many countries and military commanders on the ground? In that context, can the Secretary of State say how and when the United Nations will be given direct responsibility for arranging an orderly withdrawal of Iraqi forces from Kuwait, monitoring and supervising the ceasefire that will follow, and setting about the awesome agenda for bringing durable peace and stability to the region?

Mr. King: Everybody wants to see the earliest possible resolution of this conflict and an end to fighting. That is why my right hon. Friend the Prime Minister has set out as clearly as he could, and why I have repeated, the basis on which that can be achieved. The hon. Gentleman may know that, just a few minutes ago, the President of the United States spelled out exactly the same conditions as part of the coalition agreement. The United Nations is not in Kuwait or in the theatre of operations, but we are acting under its authority. It is against that background that we have to find the earliest and safest basis on which this conflict can be ended.

The hon. Gentleman spoke about saving the lives of young men. We have a duty to those young men to see that we conclude this matter on a safe, sound and secure basis for the future. The biggest betrayal would be to launch these young men into the conflict and ask them to risk their lives and then to let it end in some premature or fudged way which meant that the job had not been properly done.

Mrs. Edwina Currie (Derbyshire, South): My right hon. Friend mentioned the pathetic state of the Iraqi prisoners of war. Does he consider that the dignity, humanity and restraint being shown by allied troops towards those prisoners, which is in direct contrast to the way in which allied prisoners have been treated, not only is right in itself but will be an important and useful factor in winning the peace when the war is over?

Mr. King: I very much agree with my hon. Friend, who mentions one of the matters that may be of lasting benefit to relationships in the area. There has been much propaganda, and anyone who knows anything about the regime of Saddam Hussein over the years knows the power of state propaganda. A considerable number of his Iraqi forces now recognise for what they are the many lies that have been told about the allied forces.

Mr. Michael J. Martin (Glasgow, Springburn): The Secretary of State will recall that, some weeks ago, he paid tribute to the Territorial Army—in particular, the Royal Army Medical Corps, one of whose young nurses is a constituent of mine. Her mother informs me that the electricity board has said that, despite the fact that because her daughter is in the Gulf and her house is unoccupied, standing charges will still be included on her account. If that nurse remains in the Gulf for long enough, her electricity could be cut off. Surely that is a shameful way for a national utility to treat people who were the first to volunteer in response to this country's call.

Mr. King: I do not think that there is the slightest risk of such people having their electricity cut off in their absence. However, I take note of the hon. Gentleman's point. The whole country has shown its support for our forces. I am glad that the hon. Gentleman mentioned the reserve forces and the way in which so many of them—every one of them, I think that I am right in saying, a volunteer—have willingly gone to serve in the Gulf in support of our forces.

Several Hon. Members *rose*——

Hon. Members: Soames.

Mr. Speaker: Not yet.

This is a private notice question. There are 23 groups of amendments in the following Bill but, in view of the importance of the matter, I will allow three more questions from each side. I call first Mr. Soames.

Hon. Members: Hear, hear.

Mr. Nicholas Soames (Crawley): In view of the great difficulties in dealing with someone as dishonest and irrational as Saddam Hussein, may I suggest that General Schwarzkopf should offer the senior Iraqi commander in the field a full instrument of unconditional surrender, appended to which should be full details of the mining and booby-trapping of Kuwait? Does my right hon. Friend agree that, if that were to be accepted, it would spare a great deal of anxiety and further loss of life?

Mr. King: My hon. Friend raises serious points. There are real difficulties about the trustworthiness of Saddam Hussein and his powers to communicate with his forces. We are giving close attention to what might be the right vehicle for such communications. I shall bear in mind by hon. Friend's suggestion.

Rev. Martin Smyth (Belfast, South): I welcome the fair tone of the Secretary of State's statement, but does he agree that those who talk about trusting Saddam Hussein's words about returning to Iraq would not have many friends in Kuwait or Saudi Arabia, where the people are aware of a similar statement when Saddam Hussein said that he would not be invading Kuwait?

What plans are afoot for the future? People talk about the middle east settlement, but, if Saddam Hussein regroups with his forces in Iraq, what about the Gulf settlement? When the Prime Minister meets President Gorbachev next week, will he ask what terms and conditions have been reached with the Russians for the future stability of the area and for reparations to Kuwait after the ravages of the war?

Mr. King: My right hon. Friend the Prime Minister will have heard the hon. Gentleman's comments and will no doubt bear them in mind. The basis on which we can ensure security and stability in the area will depend on how the conflict ends, but the success of the coalition forces has given the area a much better prospect of a more stable and less aggressive approach from Iraq in future.

Mr. Tony Favell (Stockport): No doubt history will show for how much the humane world has to thank Britain, and in particular my right hon. Friend the Prime Minister, for the resolve that he has been shown in dealing with this dictator. In view of what Saddam Hussein was saying to his people last night, is it not important that he should in no way be able to show any kind of victory?

Mr. King: When Kuwait is liberated and evidence of what has been authorised in Kuwait by Saddam Hussein becomes apparent, the world will realise the force of what my hon. Friend says. The situation is not yet finalised, but we have all seen enough to know the rightness of the decision to stand firm, to work as a coalition, to seek the widest possible international support for the action and not to find some way out, some deal of some sort, some negotiation halfway through this terrible business that has lasted for all these months.

Mr. Ian McCartney (Makerfield): Now that you have called me and the hon. Member for Crawley (Mr. Soames), Mr. Speaker, it has become the "Little and Large" show. Before 2 August last year, a number of British children were illegally abducted and taken to Kuwait, and they have remained there during the hostilities. Can the right hon. Gentleman give us an assurance that we shall try to identify and locate these British children as soon as possible, so that their mothers in this country will hopefully learn that they are okay and have not been damaged in any way by the Iraqi invasion of Kuwait?

Secondly, having located the children, will the right hon. Gentleman make every possible effort to have them returned to their mothers in Britain, because they were illegally abducted from the United Kingdom by Kuwaiti citizens, who had no right to take them there in the first place? Given that we have made so many sacrifices to free the people of Kuwait, the least that they can do is send back our children who have been illegally abducted.

Mr. King: Obviously I cannot comment on the detail, but I have heard what the hon. Gentleman has said. Once Kuwait is liberated, there will be a chance for the normal processes of international law to reassert themselves upon such matters.

Mr. Jonathan Aitken (Thanet, South): As further evidence that the so-called Iraqi pull-out may be nothing more than a cynical manoeuvre in bad faith, will my right hon. Friend take careful note of today's reports that the Iraqi army has been rounding up significant numbers of young Kuwaitis, presumably to take them as hostages or, even worse, for the sort of atrocities that my right hon. Friend hinted at? Is it not out of the question that we should discuss a ceasefire as long as such bestial actions continue?

Mr. King: I am grateful to my hon. Friend, because I know that he knows the area well and will have his own sources, which tend to confirm the extremely distressing information which is coming through about that behaviour. That is why, as he rightly says, "withdrawal" is another word for regrouping in certain circumstances and is a technique and a trick that Saddam Hussein used against the Iranians to considerable effect. He took advantage of prolonging discussions on a possible ceasefire to launch a new attack and to capture thousands of Iranian prisoners of war during the Iran-Iraq war, and we shall not fall into that trap.

Mr. John McWilliam (Blaydon): Will the Secretary of State make it clear—I am sure that it was inadvertent—that Saddam Hussein did not unequivocally accept the United Nations resolutions in the speech that was broadcast this morning? Will he further make it clear, in the absence of access by the International Committee of the Red Cross to our prisoners of war who are being held by Iraq, that Saddam Hussein will be held personally responsible for their safety?

Mr. King: In case I gave any impression that I thought that Saddam Hussein had unequivocally accepted, I am glad to take this opportunity to make it clear that he did no such thing; I am grateful to the hon. Gentleman. It is a pretty depressing experience trying to read Saddam Hussein's speeches and to work our what on earth they do mean, but it is quite clear that they do not mean that. As my right hon. Friend the Prime Minister made clear, implied within the speech is a very sinister threat indeed —to regroup and to seek to have another go.

On the wider issue, we have made our position very clear. People are individually responsible for their actions. There is a worrying and increasing roll of evidence of some of the things that have happened, and they will need to be given careful attention.

Veterans

4.8 pm

Mr. George Howarth (Knowsley, North): I beg to move,

That leave be given to bring in a Bill to establish a Department of Veterans' Affairs with responsibility for resettlement of veterans, care and rehabilitation of disabled veterans, support for veterans' families, and related matters; and for connected purposes.

The Bill—which is supported by the Royal British Legion, the Soldiers, Sailors and Airmen's Families Association and several other ex-service organisations—also enjoys wide support in the House, as I hope to demonstrate when I give the names of its sponsors.

I pay tribute to the Royal British Legion and other organisations for their work on behalf of veterans. The Bill's purpose is to help that work by making the Government more accountable in the way in which it deals with the concerns of veterans. Currently, some 18 million veterans and their dependants are in this country; compared to those in the United States, Canada, Australia, New Zealand and other countries, only a small proportion have any special status in terms of either pension provision or specialised welfare services. Responsibility for dealing with the needs of veterans lies with 16 different Government Departments: most right-minded people would agree that that is a recipe for red tape and confusion, which indeed result from the present system.

The scope and nature of the problems caused to individuals can be illustrated by the case of Corporal Blackburn, which has been raised before in the House. Corporal Blackburn is a young soldier who was injured in service and consequently became paralysed, which necessitated long hospitalisation and confinement to a wheelchair for life. Quite apart from his disabilities, which were traumatic enough in themselves, the man had to cope almost entirely on his own with resettlement and rehabilitation. Paradoxically, there was no Ministry of Defence social worker in the military hospital to which he was confined, although such a facility was available to NHS intake patients.

Corporal Blackburn eventually managed to leave hospital, but his departure was delayed because of the problem of finding accommodation that had been suitably adapted for his severe disablement. The whole process of rehabilitation involved several agencies and Government Departments, and, while that would have been difficult enough for an able-bodied person to deal with, it was much more of a problem for someone who was virtually paralysed and trying to come to terms with his condition. The corporal was single; had he been married, that might have solved some of the problems, but it would obviously have created many others.

Corporal Blackburn has spent some two and a half years trying to get his problems solved, and they are not all solved yet. That case highlights the difficulties that many people experience.

The Bill seeks to streamline the service and the support given in such a way as to minimise the stress and hardship that confront ex-service personnel and their families, particularly in cases such as that of Corporal Blackburn. It will ensure that they receive all the help with resettlement, care and rehabilitation, and all the support for their families, that is necessary. It will also co-ordinate responses, which at present are scattered and confusing.

Soon we shall have a new generation of veterans, as service people return from the Gulf—people who joined the services and, lately, have fought for the United Nations resolutions and other Gulf causes, and who carry out the tough and often bloody work that is necessary from time to time. During such conflicts, however, our support should not be confined to fine words. We must also turn our minds to setting up a system that will help such people to adjust to leading lives that are as normal as possible. So far, we have failed in that task; the Bill provides a framework within which we can remedy that failure and recognise our responsibilities.

Question put and agreed to.

Bill ordered to be brought in by Mr. George Howarth, Mr. Rupert Allason, Sir Rhodes Boyson, Mr. Don Dixon, Mrs. Margaret Ewing, Mr. Michael Foot, Sir Marcus Fox, Mrs. Llin Golding, Mr. James Molyneaux, Mr. Merlyn Rees, Sir David Steel and Mr. Brian Wilson.

VETERANS

Mr. George Howarth accordingly presented a Bill to establish a Department of Veterans' Affairs with responsibility for resettlement of veterans, care and rehabilitation of disabled veterans, support for veterans' families, and related matters; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 26 April and to be printed. [Bill 94.]

Orders of the Day

Road Traffic Bill

As amended (in the Standing Committee), considered.

New Clause 4

SUPPLY OF UNROADWORTHY VEHICLES ETC.

'.—(1) Section 75 of the Road Traffic Act 1988 (vehicles not to be sold in unroadworthy condition or altered so as to be unroadworthy) shall be amended as follows.

(2) In subsection (3), sub-paragraph (iii) of paragraph (a) shall be omitted and for paragraph (b) there shall be substituted—

"(b) it is in such a condition that its use on a road would involve a danger of injury to any person".

(3) In subsection (4), after the words "that condition" there shall be inserted—

"(a)",

and at the end there shall be added the words "or

(b) would involve a danger of injury to any person."

(4) In subsection (6), paragraph (c) shall be omitted.

(5) After subsection (6) there shall be inserted—

"(6A) Paragraph (b) of subsection (6) above shall not apply in relation to a person who, in the course of a trade or business—

(a) exposes a vehicle or trailer for sale, unless he also proves that he took all reasonable steps to ensure that any prospective purchaser would be aware that its use in its current condition on a road in Great Britain would be unlawful, or

(b) offers to sell a vehicle or trailer, unless he also proves that he took all reasonable steps to ensure that the person to whom the offer was made was aware of that fact.".'.

Brought up, and read the First time.

4.15 pm

The Minister for Roads and Traffic (Mr. Christopher Chope): I beg to move, That the clause be read a second time.

Mr. Speaker: With this, it will be convenient to take Government amendments Nos. 37 and 38.

Mr. Chope: The new clause arises out of concerns expressed in Committee by my hon. Friend the Member for Keighley (Mr. Waller) about the sale of unroadworthy vehicles. At present, the existing provisions which are designed to prevent the sale of unroadworthy vehicles do not operate satisfactorily because when confronted with the fact that a vehicle on the forecourt is unroadworthy traders often claim that they would have repaired the vehicle or warned the customer about its condition before a sale was made. That is clearly unsatisfactory, and I believe that the new clause will help to remedy that problem.

The new clause provides that, where an unroadworthy vehicle is exposed for sale—for example, on a garage forecourt—the trader must prove that he has taken all reasonable steps to make potential purchasers aware that its use in its current condition on a road in Great Britain would be unlawful. One way of doing that would be for the trader to put warnings, in the form of notices, on each vehicle. However, we do not intend to prescribe exactly how that requirement should be satisfied; it will be for the courts to determine on the facts of each case.

In the case of an offer for sale, which is directed at an individual rather than at the world at large, the trader would have to prove that he has taken all reasonable steps to make that person aware of the facts. The new requirements will apply only to those who deal in vehicles in the course of a trade or business, which is where the major problem lies.

Ms. Joan Ruddock (Lewisham, Deptford): As with much of the Bill, Opposition Members are happy to support the Government in introducing measures that are clearly designed to help with the safety of people driving on our roads and the standard of vehicles.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 5

DISAPPLICATION OF RTA SECTIONS 1 to 3 FOR AUTHORISED MOTORING EVENTS

'.After section 13 of the Road Traffic Act 1988 there shall be inserted—

"*Disapplication of sections 1 to 3 for authorised motoring events.*

13A.—(1) A person shall not be guilty of an offence under sections 1, 2 or 3 of this Act by virtue of driving a vehicle in a public place other than a road if he shows that he was driving in accordance with an authorisation for a motoring event given under regulations made by the Secretary of State.

(2) Regulations under this section may in particular—

(a) prescribe the persons by whom, and limit the circumstances in which and the places in respect of which, authorisations may be given under the regulations;

(b) specify conditions which must be incorporated in authorisations;

(c) provide for authorisations to cease to have effect in prescribed circumstances;

(d) provide for the procedure to be followed, the particulars to be given, and the amount of any fees to be paid, in connection with applications for authorisations;

(e) make different provisions for different cases.".'.

Brought up, and read the First time.

Mr. Chope: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, it will be convenient to take amendment No. 72, in page 2, line 19, at end insert—

'( ) Any competitor in or official of a motor sport event licensed by an appropriate body approved by the Secretary of State shall not be treated as being in a public place whilst taking part in such an event.'.

Mr. Chope: The new clause was tabled in response to concern about the possible consequences for motor sports events of extending the scope of the bad driving offences in the Bill to public places other than roads.

It is desirable in principle that the laws relating to dangerous driving should be extended to public places, but motor sports events give rise to several questions. Where motor sports events such as rallies take place on the road, the Road Traffic Acts do and should apply. Nothing in the Bill affects race tracks such as Silverstone or Brands Hatch, to which the Road Traffic Acts have never applied. The events with which we are concerned are time trials and similar rally stages organised in areas such as Forestry Commission land, where spectators can move freely throughout the area in which the rally is taking place. The

[Mr. Chope]

tracks on which the events take place are likely, in such circumstances, to come within the definition of "public place".

No one is suggesting that it is right for rally drivers to drive irresponsibly but the manner of driving and the state of the vehicles being driven in off-road events is such that they cannot properly be judged by the same criteria as driving on the public highway. It is right, therefore, that such events should be treated differently and that the provisions of sections 1, 2 and 3 of the Road Traffic Act 1988 should not apply.

I hope that the House will accept the new clause and that my hon. Friend the Member for Keighley will seek to withdraw his amendment, as the present proposal goes rather wider.

Mr. Gary Waller (Keighley): I thank my hon. Friend for listening so carefully to what was said in Committee. The Royal Automobile Club and many of my hon. Friends were concerned at the risk that would have been posed to motor sports had the Bill remained unamended. We warmly appreciate the change that my hon. Friend has brought about, and I thank him for it.

Question put and agreed to

Clause read a Second time, and added to the Bill.

New clause 12

VARIABLE SPEED LIMITS

' . In section 84 of the Road Traffic Regulation Act 1984 (speed limits on roads other than restricted roads), for subsection (1) there shall be substituted—

"(1) An order made under this subsection as respects any road may prohibit—

(a) the driving of motor vehicles on that road at a speed exceeding that specified in the order,

(b) the driving of motor vehicles on that road at a speed exceeding that specified in the order during periods specified in the order, or

(c) the driving of motor vehicles on that road at a speed exceeding the speed for the time being indicated by traffic signs in accordance with the order.

(1A) An order made by virtue of subsection (1)(c) above may—

(a) make provision restricting the speeds that may be indicated by traffic signs or the periods during which the indications may be given, and

(b) provide for the indications to be given only in such circumstances as may be determined by or under the order;

but any such order must comply with regulations made under subsection (1B) below, except where the Secretary of State authorises otherwise in a particular case.

(1B) The Secretary of State may make regulations governing the provision which may be made by orders of local authorities under subsection (1)(c) above, and any such regulations may—

(a) prescribe the circumstances in which speed limits may be imposed by or under an order,

(b) prescribe the speed limits which may be specified in an order, and

(c) make transitional provision and different provision for different cases."'.—*[Mr. Chope]*

Brought up, and read the First time.

Mr. Chope: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss Government amendments Nos. 92, 93 and 95.

Mr. Chope: As I said in Committee, we have been considering the possibility of taking powers to enable a more flexible approach to speed limits. This new clause is intended to give mandatory force to variable speed limits that are indicated by traffic signs. It will provide both the Secretary of State and local authorities with a new, additional power to enable them to introduce variable speed limits.

The idea arose from the Department's M25 review, and was originally recommended by the consultants as a means of improving traffic flow at peak periods. However, I believe that there may well be much wider benefits to be gained from having enforceable variable speed limits in other circumstances. It would be reasonable to enforce lower speed limits on motorways when there were adverse weather conditions or when a major accident had occurred. That would, however, require signs that complied with existing requirements—that is, with a red outer ring—and these could be introduced only when the technology had been developed and was in place.

Another, equally important, area of application is local roads, where lower speed limits may be beneficial at certain times of the day to protect vulnerable road users, such as children or pedestrians. A good example is outside a school on a busy road, where it might be appropriate, depending on local conditions, to introduce a lower speed limit, which would apply when children were entering or leaving school. We would need to design and to implement such schemes carefully, to ensure that they operated satisfactorily and were cost-effective in reducing casualties.

This new power would, I believe, give us the opportunity to develop a more flexible approach to speed limits, so that they might more closely reflect actual driving conditions.

Mr. Roger King (Birmingham, Northfield): Does this new clause relate solely to the reduction of speed limits on a variable basis, or would it enable the Secretary of State to increase speed limits?

Mr. Chope: The new clause is drafted very widely. It is not envisaged that my right hon. and learned Friend would use the power to have speed limits higher than those that would normally apply.

I hope that the taking of this new power will be welcomed by the public at large. It would be a very useful additional tool in the range of measures that we have for improving road safety, particularly in relation to the more vulnerable road users.

Ms. Ruddock: There is grave anxiety among Opposition Members that the measure could be used to allow increased speed limits. I do not think that the Minister's answer was absolutely clear. My understanding of what he said is that an increase would be possible. I think the Government share our concern that higher speed leads, if not to more accidents, certainly to more severe injuries resulting from collision. I hope that the Minister will assure the House that it is not the Government's intention to use a measure of this kind, which could very sensibly be used to lower speed limits, to take account, say, of roadworks or of accidents, for the purpose of increasing speed limits. It would be quite inappropriate to increase speed limits by the back door.

Mr. Ronnie Fearn (Southport): The Minister has mentioned the part that could be played by parents. I think that schools were mentioned. In Committee, I referred very briefly to a case in which, following an increase in the speed limit outside a school from 30 mph to 40 mph at certain times of the day, a child who stepped out from behind a tree was killed. I wonder whether road signs that specify 30 or 40 mph will cause confusion among parents. Would it not be possible to stick to 30 mph on roads outside schools?

Mr. Chope: At present, the standard procedure is to have speed limits that apply at all hours of the day and night. The hon. Gentleman will be aware, however, that in certain circumstances—especially when children are going to or coming from school—extra care should be exercised by drivers, and that there is a case for having a lower speed limit then than at other times of the day or night. We are including the new power in the Bill to make available the necessary flexibility.

Mr. Fearn: At present, local authorities install flashing lights outside every school to let drivers know that they should slow down. The warning continues during the period in which the children are on their way to and from school, and seems to be quite effective. If we introduce a different system which varies the speed limit between 30 and 40 mph, it could lead to confusion.

Mr. Chope: I am sorry that the hon.Gentleman thinks that there will be confusion. I hope that most hon. Members will consider that this important new power will increase the ability to be flexible. I am not prescribing the circumstances in which the power should be used.

As for the question of the hon. Member for Lewisham, Deptford (Ms. Ruddock), the power cannot be used to override existing speed limits. We do not need primary legislation to do that. As I shall say during a later debate to be initiated by my hon. Friend the Member for Birmingham, Northfield (Mr. King), the power already exists through secondary legislation to alter speed limits.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 1

DESIGNATION OF PRINCIPAL ROUTES

'(1) The Metropolitan Police may apply to the Secretary of State to make regulations to designate a trunk road or a designated road as a principal route.

(2) Before making an application to the Secretary of State the Metropolitan Police shall consult—

(a) the London authorities through which the road passes; and

(b) London Regional Transport.'—*[Mr. Tracey.]*

Brought up, and read the First time.

Mr. Tracey: I beg to move, That the new clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following amendments. No. 1, in clause 56, page 50, line 27, after 'it', insert

'makes any regulations as to waiting or loading (except where these are on a priority route as designated under section 35 of this Act or are on a road designated as a Principal Route) or'.

No. 2, in line 33, after 'it', insert

'makes any regulations as to waiting or loading (except where these are on a priority route as designated under section 35 of this Act or are on a road designated as a Principal Route) or'.

No. 3, in clause 57, line 35, after 'vehicle', insert

'in a road subject to waiting and loading regulations (except where these are on a road designated as a priority route under section 35 of this Act or are on a road designated as a Principal Route) or is'.

No. 4, in line 45, after 'to', insert

'waiting or loading or to'.

Mr. Tracey: The new clause represents a further stage of the discussions that took place in Committee. Both sides of the Committee were in total agreement and I assume that, this afternoon, both sides of the House will agree that the question of parking enforcement—particularly on single and double yellow lines—has raised many problems in London. The London boroughs, represented by the London Boroughs Association and the Association of London Authorities, feel that enforcement is not being adequately carried out.

The Bill makes various changes and proposes new powers of enforcement in areas covered by parking meters and residents' parking permits. As we said in Committee, Londoners are concerned about the further issue of enforcing parking restrictions on yellow lines. At present, enforcement is dealt with by the Metropolitan police and traffic wardens. It is widely accepted—not only by local authorities and Members of the House but also by many police officers, from the rank of superintendent downwards—that an inadequate job is being done.

Police officers and those who control traffic wardens recognise that their numbers are inadequate. They enforce the law and protect the citizen in relation to matters that are certainly much graver and weightier than the infringement of parking regulations. It is to the benefit of all of us—whether we work in commerce or transport authorities or are private citizens—that parking should be controlled and enforced. We do not want people to park illegally or illicitly in our streets, preventing buses and private cars from passing freely through the streets.

4.30 pm

In Committee, my hon. Friend the Minister for Roads and Traffic began to say that the Government would be prepared to accept some amendments to the proposed legislation in relation to London. Following that undertaking a number of us thought that it would be sensible to seek further amendments. The new clause specifically calls for the Metropolitan police to apply to the Secretary of State for regulations allowing them to enforce parking on the main trunk roads and those which, under the Bill, will be designated as principal, or red, routes.

We understand perfectly well that the police require the power to enforce regulations on main roads, so that they retain major powers over the movement of traffic in the capital city, but we believe, and we made it clear in Committee, that on side roads and more minor roads it makes sense for the enforcement powers of the police to be transferred to local authorities. The local authority associations have told the Government that they are prepared to take on enforcement powers across the board for parking on yellow lines and parking meters and where residents' parking permits apply.

The new clause meets the desire of the police to retain powers on main roads, but provides the sensible solution of transferring the rest of the enforcement powers to local authorities. That would also remove the frustration felt by London borough authorities and the public's inevitable confusion. It is ridiculous that districts in our capital

should be controlled by double or single yellow lines yet we all see that those regulations are constantly not enforced, whether for good reasons or not.

Will my hon. Friend the Minister give further consideration to the new clause, and the amendments associated with it? Will he agree to the sensible suggestion of allowing reason to prevail, so that the powers for controlling most of the capital's roads are transferred to local authorities?

Mr. John Bowis (Battersea): I support the spirit of the new clause, but shall wait to see whether its exact wording is the best way forward. I am sure that the intention behind it is right. I entirely agree on the need for the Metropolitan police to have responsibility for enforcing red routes and strategic routes. Equally, I entirely agree that something has gone sadly astray in the enforcing of other parking regulations, both permitted parking and illegal parking.

My constituents are frustrated for two reasons—first, because cars wrongly parked outside their homes are not moved. Secondly, they become frustrated when they are penalised, because their own cars, which are perhaps illegally but not obstructively parked, are towed away. The new clause seeks to put right such inadequacies of enforcement and promote greater sensitivity among the enforcers. When I received many complaints from my constituents about the way in which parking regulations and tow-away vehicles were operated, I went out with my tow-away crew. While I was with the crew that was organised by the local police station, I saw a degree of sensitivity and understanding in the way that parking was enforced. But we soon started to receive calls asking why we had towed away vehicles from outside, for example, the doctor's surgery. The crew were immediately able to say, "That was not us. It was the team that came out, on spec, from Scotland Yard."

That was an example of the police operating without local knowledge and causing aggravation to local residents. The new clause would put that right and would stop the nonsense that occurs when one authority enforces parking regulations on a parking bay, on a parking meter or on residents' parking places, which are next to yellow lines that are enforced by a different authority. In such circumstances, the vehicle can move from one to the other and escape whichever authority happens to be monitoring that strip of road at the time.

I hope that the Minister will accept the new clause, which would put some sense onto the parking regulations in London. That idea is supported by just about every London borough, and certainly by Wandsworth.

Sir Philip Goodhart (Beckenham): At the moment, there are a mere 1,400 traffic wardens in London, and they will be needed to concentrate on the red routes and on the main routes. The London boroughs must be given powers to enforce yellow line and parking restrictions. I am sure that the Government will respond to that issue but, when they do, we may be left in a curious position. The London boroughs will be responsible for yellow lines, but local authorities outside London will not be responsible for parking issues. It would be sensible to include in the Bill powers to give local authorities outside London the power to handle parking.

Dr. Ian Twinn (Edmonton): I agree with the suggestion made by my hon. Friend the Member for Beckenham (Sir P. Goodhart), and I add my support to that given by other hon. Friends who represent London boroughs. I have no doubt that the Minister has listened carefully. He and his officials also listened carefully in Committee and gave us some encouragement to believe that the proposals which are all-party proposals, would be seriously considered. We shall look forward to what he has to say.

If the Bill were passed unamended, we should be in the ludicrous position of having traffic wardens to police yellow lines, the police to police moving traffic offences and local authority traffic attendants to look after parking bays. That would increase the cost of regulating traffic and parking in London, which would be foolish. The new clause would overcome that and would provide local control of parking which was sensitive to local needs but still allowed the police to keep traffic moving on our major roads.

Careful thought must be given to what is a major road and to whether, in the future, boroughs should also be allowed to control parking on the principal red routes. In view of the way in which the boroughs operate, it may be worth while for the Government to consider adding powers to the Bill when it goes to another place to enable Ministers to make changes in the future without having to introduce primary legislation.

There is also concern about who should police parking on the pavements in London. Perhaps the Minister could consider that issue as well as the problem of parking on cycleways. As an occasional cyclist, I find that it is a problem when cars are parked there and one has to pull out into the main carriageway. There is some confusion about who should be enforcing the cycleways.

Mr. Nigel Spearing (Newham, South): In principle, many people in London will see merit in the new clause. I may be the only hon. Member present who was not a member of the Committee, so I was not entirely privy to the discussions there.

Dr. Norman A. Godman (Greenock and Port Glasgow): That applies to me as well.

Mr. Spearing: Yes, that may be true of other colleagues.

I hope that the hon. Member for Surbiton (Mr. Tracey) will ensure that the proposals are comprehensive and complete when he—or the Minister—replies. In principle, all London boroughs favour the proposal. However, I am not clear about some points, and it may be as well to make clear, in the few columns of *Hansard* that this short debate will fill, any changes in the responsibility for the funding and running of traffic wardens.

Local authorities deal with meters and with residential parking. I know that traffic wardens are centrally organised, as a sub-organisation, by the Metropolitan police and that the Metropolitan police operate the tow-aways in some areas. That has recently been extended. It would be ridiculous to have a triple-tiered structure. Perhaps we shall hear more about cost, and about the recruitment and running of traffic wardens. Although there would be some merit in the control of and discretion given to traffic wardens being in the hands of the boroughs, the central organisation, making available the training and organising, might not be a Londonwide service under borough control.

The hon. Member for Edmonton (Dr. Twinn) made a suggestion about the control of red routes. I do not want to trespass on further debate, Mr. Deputy Speaker, but I must say that there may be some merit in that. The red

routes will be controversial, as are some of the restrictions on the principal roads. Newham way in my constituency is at least a three-lane fast road in each direction. In one place, there is a fourth lane with a single yellow line. There is a doctor's surgery there, and residents have also been in the habit of parking there. They do not cause an obstruction or any change in the flow of traffic, they do not provide a hazard for most of the length, yet they are subject to raids by traffic wardens or by the police. I get letters about that. It is nonsense.

There is one power for operating enforcement and another for the designation of a yellow line, a double yellow line or a red route. We shall discuss the designation of red routes later. Under the new clause, would the responsibility for the designation and distinction between single and double yellow lines be in the hands of the borough or of a wider authority?

Mr. Chope: It is obvious that there is much common sense behind the contributions in this short debate. I pay tribute to my hon. Friends for the constructive way in which they addressed the issues in Committee and for the way in which they have carried forward the debate. As I said in Committee, I have considerable sympathy with the principles underlying the new clause and the associated amendments. I told the Committee that the Government were considering what provisions would be needed to allow for a wider measure of local authority responsibility for enforcing parking controls beyond those already provided for in the Bill. I also said that I had it in mind that local authority parking attendants could be responsible for enforcing almost all parking regulations within particular designated areas within controlled parking zones. I am able to tell the House that we have developed the outline of a suitable scheme and will be bringing forward Government amendments in the other place.

The principles of the scheme are that there will be a further rationalisation of the distinction between illegal or "prohibited" parking controls and "permitted" parking controls and the arrangements for enforcing them. This further rationalisation acknowledges the strategic importance of traffic flow on main roads and the responsibilities of the local authorities to their residents.

The fundamental underlying point is that, in London, the police are responsible for the day-to-day management of traffic flow and have specific responsibilities for security control, emergencies and ceremonial occasions. To fulfil those responsibilities, it is important that they are able to control strategic traffic flows on the main arteries and certain roads serving them. It is, therefore, proposed that illegal parking on and adjacent to those arteries will continue to attract criminal sanctions and will be enforced by the police and their traffic wardens. Off the main arteries, traffic and parking has fewer strategic implications, but raises heightened environmental and residential issues, so it is proposed that most illegal parking in those areas—except for endorsable offences—will be decriminalised and enforced by the local authorities.

4.45 pm

It will be for the local authorities to apply to the Secretary of State for Transport to establish "designated" parking areas in their boroughs. In those areas, most non-endorsable illegal parking offences will be decriminalised. The offences to be decriminalised will include waiting, loading, unloading and delivery prohibitions and restrictions, parking controls at bus stops, pavement parking and breaches of the commercial vehicle overnight waiting ban. The new system of penalty charges will be applied to those breaches and they will be enforced by the local authorities, which will have extended powers to wheel-clamp and remove vehicles contravening the new controls.

It will also be for the local authorities to propose the extent of the "designated" parking areas. The areas might begin in controlled parking zones, but they could also cover other areas. The Secretary of State will need to be satisfied with the proposals because there will be traffic and safety implications. He will need to be sure that local authorities are able to take on the new responsibilities and to arrange a smooth transition to avoid any major problems or disruption. He will consult the police about the proposals. When he is satisfied with them, he will make orders bringing the "designated" parking areas into force and subsequently extending them as required. In practice, there will be a link between the introduction of the new system of "permitted" parking and the designation of "designated" parking areas.

Further consideration will be given to the way in which the former illegal parking controls are marked and signed in the "designated" parking areas. For example, yellow lines have a specific force in law under the Traffic Signs Regulations 1981, and it may be necessary for the waiting and loading prohibitions to be marked in a different colour where the offences are decriminalised.

The police will retain overriding powers for use against parked vehicles anywhere in London where security or other policing issues are involved. They will be responsible for enforcing all parking controls on the main arteries other than those associated with "permitted" parking. Contravention of those controls will remain criminal offences. The main arteries will include priority routes and some other roads as well. The precise selection of roads will be a matter for discussion between the local authorities, the police and the Secretary of State.

In "designated" parking areas off the main arteries, the police will continue to enforce endorsable parking offences, such as parking on a pedestrian crossing and dangerous parking, and will retain the power to deal with vehicles causing an obstruction.

The aim of the scheme is to improve the arrangements for enforcing parking controls in London in a way which reflects the prime nature of the controls and the primary traffic interests of the police and the local authorities. I hope that that will satisfy my hon. Friends and, indeed, the whole House to the extent that my hon. Friend the Member for Surbiton (Mr. Tracey) will feel able to withdraw the new clause, which puts the onus on the police to apply to my right hon. Friend the Secretary of State. I have said that, in the Government's view, the presumption should be that the police would be responsible for enforcement on main routes and that local authorities will be able to apply if they wish to take over the burden of enforcement on the other routes. Our open debate on the issue shows the value of a constructive Committee.

Mr. Spearing: Will the Minister clarify the matters of cost and of traffic wardens? Do I take it that the cost of policing the new local authority-controlled areas will be borne by the local authorities in a manner that they can best achieve? Obviously the cost cannot be met from parking meters. Will the Metropolitan police traffic

[Mr. Spearing]

warden service be confined to the functions of the Metropolitan police, or will that service be made available —with or without a fee—to the local authorities?

Mr. Chope: The cost of enforcing the local authority-controlled areas will be borne by the local authorities. The local authorities have assured us that they can generate sufficient income from the penalties associated with enforcement to cover their costs. The zeal with which local authority parking attendants in Westminster carry out their responsibilities is clear. Westminster has a healthy surplus on its account.

The traffic warden service will continue to be the responsibility of, and funded by, the Metropolitan police. I have heard no suggestion that local authorities want to use traffic wardens on a contractual basis. There is more than enough work for traffic wardens on the main routes under the control of the Metropolitan police.

Mr. Fearn: The new clause is welcome, although I hope that we can have some clarification in another place if the new clause is withdrawn. Although the local authority and the police are involved, will the Secretary of State take the ultimate decision?

Mr. Chope: Yes indeed—my right hon. Friend the Secretary of State will take the ultimate decision on applications.

Ms. Ruddock: We tabled amendments in Standing Committee to give boroughs powers to enforce yellow lines. We also tabled a new clause to create permitted parking zones. Therefore, we believe that we have contributed to the constructive discussion to which the Minister has referred.

We referred in Committee to the duplication of powers that would have to exist if the local authorities are to be responsible, as is made possible in the Bill, for the parking bays and meters, but cannot enforce the areas with yellow lines which so frequently occur between those bays.

We also referred to the fact that decriminalisation of certain offences already occurs in the Bill, and we therefore thought that the argument that those yellow lines had to be enforced by the police did not hold up. The Minister said in response to our argument in Committee that enforcement of prohibited parking offences must, as a matter of policy, remain with the police and the traffic warden service. However, he raised our hopes when he said that he would try to find some way to bring forward controlled parking zones and the designation of special parking areas.

We are more than delighted by the fact that the Minister seems to have listened to our pleas. The Association of London Authorities will also be delighted that at last the measure for which it has pressed for so long will, one hopes, find its way on to the statute book.

In Committee we referred to the fact that there are considerable problems of enforcement due primarily to attitudes within the police and to the scarcity of traffic wardens. We recorded that although traffic flows had increased dramatically in the past five years, the traffic warden service had decreased by 15 per cent. We are more than aware that effective enforcement requires transfer to the local authorities, which have such vested interests in enforcement that they will do it well. The Minister said that the authorities would propose the extent of designated areas within the control zones under their influence and I am sure that those designated areas will be extensive.

We agree with the Minister and hope very much that there will be no proposal to reduce the present level of person power within the traffic warden service. We believe that much stricter enforcement is necessary. A reduction in numbers in the traffic warden service would have a deleterious effect on enforcement on the major routes and main arteries.

We are cheered by the fact that the measure will make progress. We support it and we congratulate the Minister on being so co-operative. However, it has been suggested that the yellow lines should adopt another hue—I believe that purple and blue have been suggested. I hope that the Minister will not make up his mind about that. Such a change might appear to be an unnecessary concession to opinions expressed by the police and the idea that they must hold on to control of yellow lines. Perhaps it would be more helpful to maintain yellow lines for all purposes so as to give a clear message to the public that yellow lines mean that they may not park at certain times in particular areas. I urge the Minister not to have a set mind about the colour of those lines under the new arrangements.

Mr. Tracey: My hon. Friend the Minister must surely believe that he has got off to rather a good start in terms of the unanimous approval of the new clause.

Ms. Ruddock: Not for long.

Mr. Tracey: Well, he has it at this stage anyway.

My hon. Friend the Minister has closely met the spirit of the new clause and the associated amendments. We will read my hon. Friend's detailed comments when we receive the *Official Report* tomorrow. The Association of London Authorities and the London Boroughs Association will also examine his comments closely before the Bill moves to another place. Naturally we want to consider the details that my hon. Friend has given us today and other details that presumably we will be given in another place. Obviously, the details of the amendment to the legislation will have to be scrutinised closely.

I am particularly interested in the definition of a main road or route that will still be controlled by the police and traffic wardens. I will also be interested to examine my hon. Friend the Minister's wording with regard to enforcement in relation to parking on footways. A number of my colleagues and I raised in Committee the serious problem of inadequate enforcement of controls on parking on footways which can be very dangerous. There is an additional anomaly in that, until now, only the police have been able properly to enforce controls on heavy vehicles parked on footways—a practice that is completely unacceptable to all citizens in London.

I will be very interested to learn how far the Government are prepared to develop the idea of orders giving the local London authorities the power to enforce things other than yellow line parking and parking bays. My hon. Friends the Members for Beckenham (Sir P. Goodhart) and for Battersea (Mr. Bowis), also referred to boroughs enforcing rules on parking on red routes.

We have made considerable progress today towards good reason and common sense prevailing over what was previously apparent bureaucratic intransigence. That spirit has been welcomed by hon. Members of all parties. I give thanks for the co-operation that we and the London

authorities have received from officials at the Department of Transport and at the Home Office as this issue also involves the police.

I look forward to the Government's proposals being introduced in another place. In the light of all that we have heard, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

New Clause 2

RANDOM BREATH TESTING AT ROADSIDE CHECKPOINTS

'In subsection 6 of the Road Traffic Act 1988 there shall be inserted after subsection (2) the following subsections:—

"(2A) The Secretary of State may make provisions, by regulations which shall be subject to approval by each House of Parliament, for roadside checks at which either all vehicles or a sample of vehicles may be stopped by a constable in uniform under section 163 of this Act for the purpose of administering breath tests to their drivers at or near the place where such vehicles are stopped to ascertain whether any offence has been committed under section 4 or 5 of this Act.

(2B) Regulations under subsection (2A) above shall provide for any roadside check under subsection (2A) above to be authorised in writing by a senior police officer and for the display of signs making the purpose of the check clear to road users and for the maintenance of records of the authorisation and of the location, date and time of such checks.

(2C) Regulations under subsection (2A) shall be made by the Secretary of State for the Home Department in relation to England and Wales and by the Secretary of State for Scotland in relation to Scotland.

(2D) The Secretary of State shall consult chief officers of police and other organisations on a Code of Practice for the detailed operation of roadside checks carried out in accordance with the Regulations under subsection (2A)."'.—*[Ms. Ruddock.]*

Brought up, and read the First time.

5 pm

Ms. Ruddock: I beg to move, That the clause be read a Second time.

As hon. Members have said, we began this afternoon's debate in considerable harmony, but I fear that I am about to change the mood somewhat. However, I rise to move the Second Reading of the new clause, conscious of the fact that the majority of hon. Members support its provisions. They and I believe that introducing random breath testing should be one of our highest priorities for road safety in this country. The new clause commands all-party support.

However, sadly for all those who are affected by the actions of drunk drivers, I fear that the new clause may not succeed. I understand that the Government have imposed a three-line Whip despite the strong support for the new clause among their own Back Benchers, and despite the many requests that a free vote should be allowed to enable hon. Members to vote according to their consciences. I can assure the House that a free vote has been granted for Labour Members. We cannot help but suspect that the Government knew that they would be defeated on a free vote.

Tonight, hon. Members could act in concert to introduce a measure that is supported by over 70 per cent. of the population but, because of the Government's intransigence, I suspect that they will be prevented from doing so. I hope that many Conservative Members will feel able to show the Government by their votes tonight that they are not to be bullied into rejecting this important measure.

The list of organisations that support random breath testing is impressively long. It includes not only the Parliamentary Advisory Committee on Transport Safety, to which I pay tribute for its persistent and excellent work in this area, but the British Medical Association, the Consumers Association, the Campaign against Drinking and Driving, Alcohol Concern, the Association of Metropolitan Authorities, the National Council for Civil Liberties, the Association of Police Surgeons of Great Britain, and the County Road Safety Officers Association, to name but a few.

Public support for random breath testing has been consistently strong.

Mr. Conal Gregory (York): The hon. Lady is making a good and telling point early in the debate. Does she know of any agency that supports the Minister's view?

Ms. Ruddock: I thank the hon. Gentleman for his intervention and confirm what I suspect he thinks—I know of no agency that supports the Government's view——

Mr. Chope: What about the Royal Automobile Club?

Ms. Ruddock: The Minister will have an opportunity to list his own supporters when he makes his speech.

Mr. Chope: Will the hon. Lady confirm that the RAC is in favour of the Government's view on this matter?

Mr. Joseph Ashton (Bassetlaw): What about the police?

Ms. Ruddock: I have not received any communication from the RAC to suggest that position. If the Minister has such a testimony, I am sure that he will use it in support of his own case when he makes it.

I repeat that public support for random breath testing has been consistently strong. Over the past three years, seven surveys have shown more than 70 per cent. public support for it, including a survey conducted last November by the Government's own transport and road research laboratory. A survey last March by the Harris research centre showed that drinking and driving is among the top three offences that people felt should be given priority by the police. By contrast, fewer than 50 per cent. of the police who were interviewed thought that it deserved priority attention.

In Committee, when we were discussing a similar amendment, the Minister suggested that random breath testing would involve too much police time and too many resources when the incidence of criminal behaviour in other areas is increasing. However, about 800 deaths a year are caused by drink driving. Surely, that number is serious enough to make this issue a priority for police resources. If those 800 drink-drive deaths were perceived as 800 murders, as they frequently are by the bereaved, surely they would be a police priority.

Mr. Ashton: Does that figure of 800 deaths represent deaths caused by drivers who have been drinking, or drink-related accidents which, in many cases, mean that perfectly sober drivers have knocked down a drunk who was coming out of a pub and who stood in front of their car? There is a difference in those statistics. Will my hon. Friend make the statistics clear?

Ms. Ruddock: I am grateful to my hon. Friend for making his point, but I see from frantic signs on the Conservative Front Bench below the Gangway that another hon. Member wishes to enlighten him on that point.

Mr. Peter Bottomley (Eltham): I do not know whether it will enlighten hon. Members, but a casualty report has shown that, in 1988, there were 840 deaths where the driver or motor cycle rider had an illegal level of alcohol in his blood. The dead drunk pedestrians come on top of that.

Ms. Ruddock: I am grateful for the help that I am being given, but I am under no illusion that that assistance will continue.

Like the whole House, I am deeply concerned by the fact that 800 deaths per year arise from drink-drive offences. The public understand that that should be a major priority for our police forces. I suggest that they will not understand any rejection of these provisions today, especially given the fact that on the last occasion when a similar proposal was tested in the House, on a ten-minute Bill that was presented by my hon. Friend the Member for Worsley (Mr. Lewis), it was supported by 165 votes to 49. Does the House really want to give an entirely contradictory message today?

Mr. Ashton: Yes.

Ms. Ruddock: Returning to the new clause, its purpose is to insert into the Bill a clear and straightforward procedure to enable the police to carry out random breath testing. It would authorise the Secretary of State to make regulations for roadside checks to be carried out by the police at which either all vehicles or a sample may be stopped for the purpose of administering a breath test to the driver. The new clause states that the purpose of the checkpoint must be clearly signposted and authorised in writing by a senior police officer. The proposed subsection (2D) authorises the Secretary of State to issue a code of practice for the operation of the roadside checks.

The Minister suggested in Committee that such provisions would still require the police to suspect that a driver had been drinking before they could breath-test him. I am happy to assure the House that I have taken further expert advice and feel sure that the Minister was mistaken.

Mr. Paul Channon (Southend, West): The hon. Lady mentioned sampling a moment ago. What does she mean by "sampling"? Under her new clause, would the police be entitled to stop all young people, for example, or all women or all men? How does sampling work? I had thought that random breath testing would have to involve everyone.

Ms. Ruddock: I am grateful to the right hon. Gentleman for posing those questions, because we are very clear in our minds about what we mean. I believe that there is a scientific definiton of "random". It has to be proved that it is truly random. Testing can be random if every passing car is stopped for the obvious reason that no-one knows into which category the driver of that vehicle may fall. Testing can also be shown to be random if, for example, every 10th vehicle is stopped because, by the same token, the person stopping that vehicle could not have anticipated whether its driver was young, old, female or black. That is random. That, indeed, is the purpose behind this new clause. We are clear and we have checked extremely carefully with several authorities that our new clause truly offers the opportunity for random, accountable and controlled breath testing.

The case for random testing has been made many times, and undoubtedly it will be made many times again today. I make no apology for repeating some of the arguments. It is true that there has already been a gradual reduction in the number of accidents resulting from drinking and driving. That can be attributed to several factors, including publicity campaigns and changing the public's perception. But we cannot afford to be complacent about our rate of progress. Research suggests that one in 50 drivers at any one time is over the prescribed limit.

Mr. Peter Bottomley: Is not that one in 50 at pub closing time on Thursday, Friday and Saturday night, not at any one time?

Ms. Ruddock: I shall look into that. I have taken on trust the information that I have been given. *[Interruption.]* If hon. Members will allow me, the information comes from an expert source. I have no reason to question it. If the hon. Member for Eltham (Mr. Bottomley) is certain of his facts, I am prepared to accept that. It does not alter in any significant way the case that I make. It is obvious that a substantial number of people in Britain are prepared to say when questioned that they have driven when they believed that they were over the limit.

Mr. Bowis: Does the hon. Lady agree that, where recent campaigns against drinking and driving have been successful, it appears that it was because the public perception that there was already a degree of random testing? When I talk to my local police they say, not that they do not want to enforce the law against drinking and driving but that they already have adequate laws to enforce. Will the hon. Lady explain what is lacking in the law that persuades her that we need to strengthen it through the measure that she proposes?

Ms. Ruddock: I am happy to do that. I shall come to those arguments in a moment. The hon. Gentleman suggests that the public perceive that there is already a degree of random testing. He will also acknowledge that the public have become aware through reports that such testing is carried out by certain police forces but that in other areas it does not happen. Therefore, if there is any deterrent value in random testing, as I believe that there is, it is not available uniformly, even through the present system. As I shall explain in a moment, the present system is not the same as random breath testing, as proposed in the new clause.

Mr. Andrew Bowden (Brighton, Kemptown): I have great sympathy with the idea of random breath testing, not least because anything that can be done to stop drinking and driving must be done. But the hon. Lady implied in her answer to my hon. Friend the Member for Battersea (Mr. Bowis) that she would want directly to interfere with the operational decisions of individual police forces by compelling them to operate random breath testing on the basis that she suggests. My police force in Sussex has advised me that it has all the powers that it needs in practice to stop motorists whenever it wishes.

5.15 pm

Ms. Ruddock: If the measure became law, it would be apparent to police forces everywhere that the procedure was better in that it was clearer. It provides one power that could be used to establish random breath testing whereas at present, as I have promised to describe, the police rely on two powers and seek to combine them to create a type of random testing which we believe is inadequate.

We do not suggest that police throughout the country will have to undertake testing. We seek to provide powers for them to do so. We believe that there is such tremendous public support for the measure that police forces will wish uniformly to use the new powers made available by the House.

Mr. Rupert Allason (Torbay): There is public support for hanging, but we do not have hanging.

Ms. Ruddock: Let me continue with my argument. We are talking about what we believe are the preventable deaths of up to 800 people per year. The hon. Member for Torbay (Mr. Allason) does himself and the House no favours by bringing hanging into the debate.

Lest hon. Members fail to keep figures in their minds, let me repeat that about 800 deaths and up to 22,000 injuries per annum are caused by drinking and driving.

Mr. Ashton: How many deaths occur on the roads which are not drink-related?

Ms. Ruddock: My hon. Friend asks a fair question. There are about 5,000 deaths in road accidents per year in Britain. That figure is far too high, and the deaths occur through a variety of causes. However, I remind my hon. Friend that a single cause accounts for 800 deaths and 22,000 accidents resulting in casualties. That is the subject of our debate tonight. I believe that the House treats the subject with great seriousness and that, if there is anything that we can do to reduce the figure by 15 per cent., 5 per cent. or even 0·5 per cent. we should carefully consider it.

Sir Ian Lloyd (Havant): I have been following the hon. Lady with great care and great interest. She used the words, "if there is anything that we can do" and "if there is something that we can do". I have argued on the Floor of the House on many occasions that modern technology provides a complete solution to drinking and driving. There is something and there is anything. If the Government so chose, every motor vehicle could be required by law to be equipped with a device which made it impossible to drive it if the driver was over the prescribed limit, whatever that might be.

Does the Labour party support that? If so, we are at one in our objective and at one on the method. New clause 2 takes an entirely vindictive approach, but we should seek a solution. The solution is available. There is a variety of methods. The technology is available. If, as my new clause suggests, we encouraged the public to be fully aware of whether they were near the limit, drinking and driving would be reduced. Experience in Australia shows that the massive reductions achieved were largely attributable to that approach.

Sir Bernard Braine (Castle Point) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. One intervention at a time, please.

Ms. Ruddock: I fear that I am in great danger of being distracted from my speech, but I am willing to give way to the Father of the House.

Sir B. Braine: Is there not a device for overcoming the dreadful problem of deaths and injuries on the roads which is much simpler than that suggested by my hon. Friend the Member for Havant (Sir I. Lloyd), whose knowledge of modern technology no one would dispute? The solution is that people must be deterred to the point where it becomes the natural thing not to get into a car when one has been drinking. Either one does not drink or one does not drive.

Ms. Ruddock: I am grateful to the hon. Member for Havant (Sir I. Lloyd) and the right hon. Member for Castle Point (Sir B. Braine) for their interventions. I assume that they will seek to catch your eye later in the debate, Mr. Deputy Speaker. They will make their own speeches which, of course, will contribute greatly to our discussions.

Mr. John Prescott (Kingston upon Hull, East): They should vote in the Lobby with us.

Ms. Ruddock: Indeed, as my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) says, hopefully they will vote in the Lobby with us tonight.

We need to do more work to reduce the level of deaths and injuries caused by drinking and driving. Those of us who are in favour of random breath testing believe that efforts must be directed at changing the perception of drivers of the risk of being caught. In Britain that perception is still low; 42 per cent. of drivers admitting to drink-driving believe that the risk of getting caught is small. Clearly, we need to increase the deterrent as well as continue to detect offenders.

Countries which have introduced random breath testing believe that it has been successful in heightening drivers' perception of the risk of being caught, and that it has made a major contribution to reducing the number of deaths and accidents on the road. I acknowledge that overseas comparisons are difficult because of different systems, legal alcohol limits and procedures. Nevertheless, experience in New South Wales, which still has a higher accident rate due to drink-driving that we do, and in Sweden and Finland, which have lower rates at 7 per cent. and 11 per cent. respectively of all deaths, shows that random breath testing works.

Mr. Peter Bottomley: The last time I looked at the Swedish figures, they were counting only the accidents on which they had done an analysis; they estimated that there were twice as many as those whom they caught. Therefore, the Swedish figure may be the same as that for Britain. That needs checking, but that is my research.

My question may be technical. Over the years, we have had estimates of the number of lives that would be saved if we had random breath testing or what is proposed in the new clause, which is not what the Association of Chief Police Officers wants. Has the hon. Lady any estimate of how many lives might be saved if we introduced the new clause, gave unfettered discretion or introduced the mass random testing which they have in New South Wales?

Mr. Spearing: Fewer deaths.

Ms. Ruddock: I am grateful for the assistance of my hon. Friend the Member for Newham, South (Mr.

[Ms. Ruddock]

Spearing). If the public perceive the provision as a considerable deterrent, and if people are prepared to admit that they are drinking and driving because they feel that they will get away with it and not be detected, we have every reason in logic and in our knowledge of human behaviour to expect that they are more likely to curb their habit if they think that they are likely to be detected in a criminal offence. That being the case, we believe that there would be a fall in the number of accidents associated with drink driving if the provision were introduced.

Before I began this part of my speech, I acknowledged that it was difficult to make international comparisons, but we know from the subjective evidence, at least of those which have brought in such measures, that a fall in deaths and casualties due to drink driving has resulted from their introduction. That is good enough for me, and I believe that it is good enough for the majority of hon. Members. The research which would follow the introduction of the measure would show whether our case was proved. There is no evidence in this country—and there cannot be until the provision is introduced—but there is every reason in logic to believe that it would be effective. That is what the public at large—the people who would be affected—themselves believe.

I cannot give figures, but let me put it on record that I believe there would be a reduction in road deaths. That is what matters—that there should be a reduction of any kind and at any level, because any life saved as a consequence of new legislation is a life worth saving.

In Britain the current procedures are cumbersome and inefficient. When we discussed the matter in Committee, the provision was thought by the Minister to involve too much police time and resources. Chief police officers, who seek a form of randomised testing, have to use two procedures. That cannot in itself be helpful to their administration. It is not true to suggest that the police already have the power for random breath testing. Only by the use of two existing powers can the police do anything that corresponds to random testing. The police have the power to stop any vehicle at random. Under section 6 of the Road Traffic Act 1988, a constable may administer a breath test only if there is reasonable cause for suspicion that alcohol has been consumed.

We are seeking to give the police new powers to complement the existing powers. We are not seeking to remove any powers. The police could still stop any vehicle and, having stopped that vehicle, conduct a test if they had reasonable grounds for suspicion. In addition, the new clause would enable them to establish roadside check-points where they could administer truly random breath tests.

We must ensure that breath testing is conducted on a truly random basis to avoid any potential problems of the infringement of civil liberties.

Mr. Ashton: In 1986, Nottinghamshire police, who at Christmas have always breathalysed four or five times more drivers than police in any other county, got to the stage where they were breathalysing people who were queueing for petrol. The police were stopping long queues of cars at the side of the road to do, they said, checks on windscreen wipers, and then they breathalysed the drivers. There were strong rumours that policemen had been told that they had a quota of 35 breathalyser tests a day. At the end of that tremendous purge in 1986, they did not catch any more motorists than they had ever done.

Ms. Ruddock: I am most grateful to my hon. Friend for that intervention, because it absolutely proves my case. My hon. Friend has given an example of an area which, in his view, was over-zealous in trying to introduce random testing. He acknowledges that it caused consternation among the public because the police were stopping people on one pretext, when he suggests that they were endeavouring to test them for drink-driving. It is clear to me that, because of what he says rather than in spite of it, we need the new clause.

We must ensure that breath testing is conducted on a truly random basis to avoid potential problems of the infringement of civil liberties or of any one group being singled out for testing. We do not support giving the police unfettered powers such as they have requested. Such discretion might lead to abuse or might be perceived to be discriminatory, thus undermining relations between police and public. Roadside checks are a guarantee of objectivity.

If my hon. Friend the Member for Bassetlaw (Mr. Ashton) is disappointed that there was no detection of drink-driving as a result of a roadside check such as he described, that is not necessarily a problem to us. We are concerned about providing a deterrent. If the majority of people going through a roadside check are found on random breath testing not to be over the limit, it suggests to us that the deterrent of random breath testing is working.

Mr. Tracey: May I raise with the hon. Lady a question which I asked in Committee and which presumably she may now be able to answer? In order to carry out what she is suggesting, on behalf of the Labour party, how many extra tests and how many extra police officers or other officers of enforcement would be required, and what would be the cost of that operation? The House and the country should know those facts.

Ms. Ruddock: The hon. Gentleman knows that, neither in Committee nor here, have I had the resources to prepare the answer to that question. If the authorities decided to adopt the proposal, they would have the ability to make the appropriate resources available. I have said repeatedly that the provision is not designed dramatically to increase detection rates but dramatically to increase deterrence.

Sir Bernard Braine *rose*——

5.30 pm

Ms. Ruddock: I will not give way to the right hon. Gentleman, having already delayed the House for a considerable time, and I am nearing the end of my remarks.

I am convinced that it is such a worthy proposal—I repeat, we are talking of the loss of 800 lives a year—that it would be appropriate to allocate the resources necessary to introduce the new deterrent element in an effort to persuade people to change habits that are still causing a significant loss of life through drink driving.

If the Government defeat the new clause and continue to set their face against what is clearly a majority view in the country, their road safety campaign will lose much of its force. We believe that random breath testing should be

introduced without delay. In any event, we make the commitment to introduce it as a priority when we are in government, if the present Government fail to introduce it.

Sir Bernard Braine: The hon. Member for Lewisham, Deptford (Ms. Ruddock) has an engaging manner, and in her closing words she came to the heart of the matter. On one side of the balance sheet is the question whether there is a case for a further deterrent. On the other side are 800 lives, fewer than the number killed some years ago, but still a considerable number.

I begin where the hon. Lady finished. I firmly believe that the new clause would greatly strengthen the capacity of part I of the Bill to deal with the still serious problem of drinking and driving and would thereby help to achieve the objective—with which I hope Members in all parts of the House agree—of reducing the toll of deaths and injuries on our roads.

The debate about random breath testing has gone on for many years. During that time, the figures have fluctuated, but more and more people, including children, have been killed and injured on our roads for various reasons, but one cause has clearly been the behaviour of drunken and irresponsible drivers. I guarantee that there is not a Member in the House who has not in the last year had an example—perhaps two or three—in his constituency of a child being killed wantonly by somebody out of control of the machine he was driving because he was under the influence of drink. I wonder how many Members have escaped the procession of relatives coming to one's constituency office asking for something to be done about this scandalous state of affairs.

As the hon. Member for Deptford said, the overwhelming majority of road safety organisations and the British public support the purpose of the new clause, and they, like many hon. Members, have become impatient with the Government's obdurate refusal to take the necessary action.

The arguments for random breath testing are well known, and I need not repeat them at length today. I shall make three points that go to the heart of the matter. The first concerns the confused and unsatisfactory nature of the existing law. Ministers often claim that random breath testing is unnecessary, because the police already have power to stop drivers at random, including stopping them at roadside check points and breath testing those whom they suspect of having imbibed alcohol. Basically, that means the police officer engaging the driver in conversation so that he can form an opinion about whether he may have been drinking. This elaborate rigmarole takes time and is more likely to irritate the driver than the blow-and-go procedure of random testing proper.

The whole argument about random stopping seems odd for Ministers to employ, because it surrenders the main point at issue, which is the appropriateness and desirability of roadside checkpoints, the sole purpose of which is the breath-testing of motorists. The perversity of the existing law, and of Minister's arguments, is precisely that these concede the principle of random breath testing, but then allow it to be carried out only in a cumbersome and unsatisfactory way which is less effective than random breath testing proper and is more likely to alienate the travelling public.

That factor may help to explain why—as the House knows, I have had some connection for many years with senior police officers—some chief constables seem reluctant to use these powers. Moreover, what I would describe as this poor man's version of random breath testing is made possible only by the use of two different sections of the Road Traffic Act, the combined use of which has never been explicitly affirmed or approved by the House. As my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who has had considerable experience of transport and road safety matters, said on Second Reading, this kind of equivocation is simply not good enough. As he said, if we want random tests, there should be clear provision for them in legislation, and that should be clear to the police and the public.

I shall not delay the House, because many hon. Members wish to speak. My second point concerns what appears to be one of the principal, though one of the silliest, arguments against random breath testing employed by its opponents. We have been told many times that random breath testing would not work because the number of over-the-limit drivers detected at roadside checkpoints would be so low that, to achieve the present level of convictions, the police would have to carry out millions of tests, which would represent a clear waste of resources. That argument was used by my hon. Friend the Member for Eltham (Mr. Bottomley), in an article entitled "Why random testing won't work", in the *Evening Standard* of 30 June 1988.

Mr. Peter Bottomley: It appeared only in the racing edition. It was subsequently thrown out in favour of an article to save Elstree.

Sir Bernard Braine: Does my hon. Friend accept the statement made in the article:

"With 300,000 tests a year, random breath testing might catch between 1,500 and 9,000 over-the-limit offenders. That figure compares badly with the 120,000 convictions secured by the police using their existing powers"?

Mr. Bottomley: If the article said that, it contained a misprint. In simple terms, to catch as many people by random breath testing against target testing, there would have to be as many tests in a week as there are now in a year.

Sir Bernard Braine: As we know, the figures have declined, partly as a result of campaigns that some of us have waged over the years about irresponsible drinking, in regard not only to driving but to everything else. One can make two statements, the first being that alcohol taken in moderation is a pleasant adjunct to living, makes for conviviality and friendliness, encourages conversation and so on. The second is that alcohol taken to excess shortens life, undermines health, is a potent cause of marital break-up, non-accidental injury to children, road deaths and injuries, and is found in practically every category of violent crime. If there has been an improvement in recent years it has been largely due to the campaign that some of us have waged to try to change public attitudes to drink. I am still engaged in that campaign.

Mr. Sydney Bidwell (Ealing, Southall): I am almost the Father of the House, and I take my hat off to the right hon. Gentleman for his lifelong campaign on this matter. However, I think he got hold of the wrong end of the stick when he alluded to alcohol making people feel pleasant. Alcoholics suffer from a major disease, and some such people fall to the floor and break limbs. That is not too pleasant.

Sir Bernard Braine: I agree with the hon. Gentleman. He and I have been friends for many years. However, people who drive a motor car or any vehicle should not drink. The new clause seeks to increase the power of deterrence and to make people think twice or even three times before getting into a vehicle when they are under the influence of liquor.

The argument against the new clause is absurd, because it is based entirely on the bogus assumption that random breath-testing checkpoints would replace existing police activities rather than being an additional power used precisely for its deterrent effect. The hon. Member for Deptford spoke about that. Of course only a small proportion of drivers who are tested at roadside checkpoints are over the limit. Checkpoints are designed to be deterrents to drinking and driving, and if they did catch a large number of drinking drivers that would indicate not success but failure.

Thirdly, some hon. Members have spoken about the cost of random breath testing. In Committee, my hon. Friend the Minister for Roads and Traffic estimated that the police costs of carrying out random breath testing would be about £12 million per annum. He added:

"In essence, that would be money invested in abortive work because it would not result in more people being charged with drink-driving offences."—[*Official Report, Standing Committee G*, 22 January 1991; c. 167.]

Once again, the argument is confused. Despite the objective of deterrence, the failure of random breath testing in the Minister's eyes seems to be that it does not catch enough offenders. If my hon. Friend is to be consistent, he must presumably regard random breath testing as a failure, even in New South Wales. I understand that people in Australia have a great propensity to consume alcohol. Perhaps it is due to the climate.

The Federal Office of Road Safety reported in 1989, and stated:

"Following the introduction of random breath testing there was . . . a sharp fall of about 30 per cent. from 1982 to 1983 in the number of proven drink driving offences, suggesting that ther may have been a very real drop in the incidence of drink driving."

My hon. Friend the Minister has his own view, but I think that most of us would welcome a reduction in the incidence of drinking and driving as a sign of success rather than failure. We would also welcome economic savings commensurate with those produced by random breath testing in New South Wales.

The same report also stated:

"Federal Office of Road Safety data suggest an estimated net economic saving to the community of $169 million over the first three years of the operation of random breath testing in New South Wales."

I am not suggesting that it is possible to make simple comparisons between one country and another, and the hon. Member for Deptford did not fall into that trap either. We cannot expect savings directly proportional to those enjoyed by New South Wales. However, the Minister should not estimate the cost of random breath testing in this country without taking into account the likely economic benefits, because experience elsewhere suggests that one of the main advantages of random breath testing is precisely its cost-effectiveness. Even if it were to transpire that random breath testing costs us some money, it would still be worth the price. Indeed, what price should be placed on a human life wantonly destroyed by a drunken driver?

5.45 pm

Sir Ian Lloyd: My right hon. Friend speaks about price and mentions New South Wales. He will have seen most of the reports and figures that I have. Does he agree that the most significant cost saving occurred where self-breathalysers were introduced to all the service messes? In that case, the reduction, which may have been coupled with random breath testing outside, was about 80 per cent. A large percentage of that figure was considered to be due entirely to the fact that giving people the opportunity to find out whether they would be dangerous on the road in itself made a large contribution to the results.

Sir Bernard Braine: I always listen to my hon. Friend with the greatest attention, because he is careful about the facts that he adduces. He seeks to reinforce my argument. Any device or propaganda or legislation which increases deterrence and makes it less likely that somebody will get into a car and behave in a way that will destroy life or injure somebody must be right.

The intervention by my hon. Friend the Member for Havant (Sir I. Lloyd) during the speech of the hon. Member for Deptford is worthy of study, although I do not think that the hon. Lady took up his suggestion. It is not the first time that my hon. Friend has imparted wisdom to the House, and I hope that everyone will listen to him more carefully in future. The first person to whom he should talk is the Minister.

Like other hon. Members, I have received a letter from a Mr. John Knight, co-founder of the Campaign Against Drinking and Driving. He enclosed photographs of some of the innocent victims of drinking drivers, and I wish that every hon. Member could see those photographs before entering the Division Lobby tonight. Some of them depict the happy, bright-eyed faces of young children who are full of the joy of life, a life that was shortly to be extinguished by an accident that could have been prevented, at a cost, we are told, of a mere £12 million a year.

For those children it will be too late, but it is not too late for the House to take a step that would save many other lives. The great majority of our constituents—perhaps I should say the great majority of our constituents, because I cannot speak for other hon. Members—wish us to take that step. I hope that the Government will look carefully at the arguments and let those of us who have a conscience on this matter vote freely.

Mr. Ashton: Unfortunately, all too often in debates such as this we hear arguments from hon. Members who are not so much against drink-driving as against drink. Hon. Members who feel that way should be honest and say so. There is nothing wrong with people saying that they are against drink or that they are abstainers who believe that drink should be abolished. If people did that, at least we would know where we stand. I am against smoking and I am a member of the Committee examining the Children and Young Persons (Protection from Tobacco) Bill. I do not try to stop people smoking cigarettes. I use statistics in my arguments, and they show that 100,000 people die every year from smoking. Perhaps 1 per cent. of them die from secondary inhalation. That is 1,000 people—more than the 800 we are debating—but I am not aware of any big campaign against it.

I do not propose to blind the House with statistics, but I should like to examine some of the facts and figures.

Ms. Ruddock: I hope that my hon. Friend is not implying that those of us who are so enthusiastically moving the new clause—this is certainly true in my case—are abstainers or would seek to ban all alcohol or dissuade people in a general sense from taking alcohol with it is safe to do so. It would also be wrong to imply that I am not concerned about the hazards of smoking and that we have not done our best to campaign against that as well.

Mr. Ashton: That is not the case that I am making. I was trying to weigh one campaign against another.

Last week, the EC reported on the annual cost of road accidents. It said:

"The UK death rate from road accidents is just under half the EC average."

It is about time that we started giving drivers some credit for the fact that, year after year, our roads become safer and safer. If my hon. Friend were to compare the number of vehicles on the roads in the 1960s and the number of deaths from drinking compared with the situation now, she would see that the percentage rate has declined. Nobody gives drivers the credit for that. I accept that too many are still killed, but the numbers are declining all the time. The system is working.

Ms. Ruddock: If my hon. Friend had been present for any of the road safety debates in the House he would have heard Opposition Front-Bench spokesmen acknowledge on every occasion the great efforts and achievements of the Government in reducing the number of deaths and injuries due to road accidents. Nevertheless, 5,000 deaths are not acceptable.

Mr. Ashton: We might have one of the best accident rates in Europe, but we have the second worst accident rate when it comes to children on their way to school. Why do we not have a campaign to stop people killing children going to school? Hardly any of those drivers have been drinking. *[Interruption.]* That is a valid point. All these arguments are often put together by people who are against drink, full stop.

The greatest number of deaths from drink-driving occur not at Christmas but in May when the nights become lighter and people start driving into the countryside. But it is always at Christmas that the Government announce big expensive campaigns with television advertisements and the police go on to the streets with their breathalysers. Such campaigns often have the wrong emphasis.

My part of the world has experienced exactly the type of system that my hon. Friend wants to introduce. I am a member of the Select Committee on Home Affairs. Britain has 43 different police forces and the chief constable of each is a law unto himself. He decides, often on a whim or a fancy, what sort of breathalyser campaign he will launch.

For five years, Nottinghamshire had a chief constable—he has now passed on and I shall not denigrate him in any way—who was vehemently against drink in any way, shape or form. Those five Christmases were a nightmare. On one side of the River Trent, about 200 people would be breathalysed; on the other side of the River Trent, 200 yards away, 4,000 would be breathalysed. In the other direction, in Derbyshire, about 200 were breathalysed, while in Nottinghamshire there were 4,000. That created an atmosphere which almost killed off Christmas for many people. In places such as Worksop in my area, nothing moved—people were frightened to go to parties, dances would be half empty and the pubs and Christmas entertainments lost thousands because of the police campaign. In the end, the campaign proved nothing.

The police were stopping traffic to test windscreen wipers or lights. People were stopped on their way home from work at 4 o'clock in the afternoon. God knows what it cost in police manpower. Many of the drivers were very annoyed. They had not had a drink, they were being delayed on their way home from work and in the end the campaign produced next to nothing.

Sir Ian Lloyd: Does the hon. Gentleman agree that if someone is stopped for a windscreen wiper check but has not been involved in a moving traffic accident and does not give obvious signs of drinking, the police are acting illegally in asking such persons to take a random breath test?

Mr. Ashton: The hon. Gentleman is right, but who will challenge the police? What brave man or woman in the street will refuse to take a breath test and be prepared to go to court? It does not work that way. Most people just blow in the bag to get it over with and obey what they think is the law.

Mr. Peter Bottomley: I may eventually come to the same conclusion as the hon. Gentleman, but on this point I think that he is wrong. It is not the public perception of testing that matters. The person who never drinks and drives looks on himself as a potential innocent victim; the person who does some drinking says, "Thank heavens I wasn't above the limit"; and the person above the limit is caught bang to rights. That is not the objection. The objection is whether it will do much good.

Mr. Ashton: The hon. Gentleman can make his case when he makes his own speech.

I represent a rural area. Many of my hon. Friends on the Front Bench represent cities. Labour Members tend to represent city constituencies. My constituents cannot get a bus down to the pub, and there is no tube, as there is in Deptford.

Ms. Ruddock: There is no tube in Deptford.

Mr. Ashton: There is public transport in London. If I lived in London, I would not even have a car—it would be a waste of money—but in rural areas people cannot work without a car. They cannot get their kids to school or go shopping—they cannot do anything without a car. Without a car, the quality of life is vastly different.

If one of my constituents went to the village pub in his car and had a couple of pints, the only thing that he might knock down would be a rabbit. The roads are deserted in rural areas. People do not speed down to the pub for a couple of pints on Saturday night. It does not happen. My hon. Friend is trying to make one law which will apply throughout the country and it will not work. Closing hours are not as rigid in rural areas as they tend to be in cities. There is a much more relaxed attitude. It is a different life.

Mr. Andrew Bowden: I have listened with interest to the hon. Gentleman, but he is going over the top. He is not treating the matter as seriously as he should. He is virtually saying that his constituents in Bassetlaw are exceptional and should be excluded from drink-driving laws. It is crazy to say that they should have a special dispensation.

Mr. Ashton: The hon. Gentleman has not been listening. There are 43 different police forces, representing a wide range of areas—from inner cities with high crime rates to rural areas where there is little crime. To say that this is the law for 43 different police forces to administer as they like will result in the shambles that we have seen in Nottinghamshire.

Dr. Godman: I have been here since the start of the debate. Debates such as this, and drink-driving legislation passed by the House, may well be upstaged and overruled by the EC. Is it not the case that at this moment the European Commission is anxious to bring about a dramatic reduction in the permissible level of alcohol in a drivers' bloodstream?

Mr. Ashton: I did not mention the European Community, so I do not know how the hon. Gentleman's intervention is applicable. I mentioned our rate of accidents and said that we have half the number of deaths that they have in Europe, but I shall let that pass.

To return to my argument, my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) said that random breath testing is Labour party policy. I do not remember that being debated at any of our conferences. I do not remember anyone, anywhere, saying anything of the sort. The Labour party prides itself on its grass-roots democracy. Resolutions come from the constituencies, from the ordinary rank and file members who pay their £10 a year, make the policies and send resolutions to Blackpool or Brighton where we have a long debate about them. I have never read one line of debate about random breath testing in *Tribune* or anywhere else.

Ms. Ruddock: It is in that document there.

6 pm

Mr. Ashton: I have no doubt that my hon. Friend may have a fat document on transport in which she has smuggled something through on the bottom of page 419, chapter 21, without anyone knowing about it, and she is now saying that it is Labour policy.

Mr. John Prescott (Kingston upon Hull, East): The hon. Member—I shall not call him my hon. Friend—has taken as long on this argument as on everything else that he has mentioned in his speech.

Mr. Deputy Speaker: Order. The hon. Member should not turn his back on the Chair.

Mr. Prescott: You need not look so serious about it, Mr. Deputy Speaker. It is not such a major crime.

At the party conference, we debated a document entitled "Moving into the Nineties", which made policy absolutely clear. After major discussions in the movement, after resolutions, discussion at the executive council and at the conference—whether the hon. Member for Bassetlaw (Mr. Ashton) chose to debate it at the conference is a matter for him—the whole document passed through the democratic process through which Labour party policy has to pass. Therefore, I am entitled to say that he should withdraw his remark because there was debate, the policy was clearly defined and was a matter for amendment and discussion in the executive council, which came to the view that we are putting forward today.

Mr. Ashton: If the hon. Member can show me the report of the Labour party conference at which it was debated in Brighton, Blackpool or wherever—I have been to every conference for the past 28 years—I shall certainly withdraw my remark.

Mr. Allason: I do not wish to intrude into other people's grief, Mr. Deputy Speaker, but is it appropriate for the Labour party to discuss what is or is not party policy when we are supposed to be discussing the Bill?

Mr. Deputy Speaker: Perhaps the hon. Member for Bassetlaw (Mr. Ashton) will keep a little closer to the amendments and the new clause.

Mr. Ashton: I pursued that argument because my hon. Friends the Members for Kingston upon Hull, East (Mr. Prescott) and for Deptford, have been saying what they would do if we were in power. So far as I am concerned this matter has not been debated at our conferences and my hon. Friends the Member for Kingston upon Hull, East has not taken up my offer to show me the report of the Labour party conference where it was debated.

Mr. Prescott: Where the document was debated?

Mr. Ashton: No, where the policy was debated.

Mr. Prescott: If you did not raise it, you twit, it may not have been debated.

Mr. David Nicholson (Taunton): Is it in order for the hon. Gentleman to call his hon. Friend a "twit"?

Mr. Ashton: The trouble with my hon. Friend is that when he loses in debate he loses his temper.

I shall move on to my next argument. I hope that my hon. Friend the Member for Kingston upon Hull, East will listen to me, as I have been in the House longer than he has and I can tell him what happened. There was a by-election in Leicester when Barbara Castle was Secretary of State for Transport—she could not even drive, but we made her Secretary of State. She introduced the breathalyser and Labour lost a safe seat at the by-election because of it. The former Labour Chief Whip, Mr. Bert Bowden, whom you may remember, Mr. Deputy Speaker, fought that by-election and lost the seat for Labour. He retired, went to the Lords and became chairman of the Independent Broadcasting Association. The Tories went around every working men's club and miners' institute in Leicester before the by-election—they would do it again now—to tell them that the breathalyser was to be introduced. It cost us hundreds of votes. There was no question about it.

The same is true in many of our constituencies today. We represent miners' institutes in rural areas and areas where there has been a lot of slum clearance, where working mens' clubs are trying to hang on. *[Interruption.]* I wish that my hon. Friend the Member for Kingston upon Hull, East would listen instead of rabbiting all the time.

Mr. Prescott: I am trying to counteract some of the reactionary elements in the hon. Member's argument.

Mr. Ashton: I am not reactionary—I am speaking for the working-class Labour voter.

Mr. Spearing: Will my hon. Friend give way?

Mr. Ashton: No.

Mr. Spearing: I speak for those voters, too.

Mr. Ashton: I have given way about 15 times and I am trying to make a speech.

Many working men's clubs are hanging on by a thread because the houses around them have been pulled down, and because members are getting older and dying off. This is true of any large city. It must be the same in Hull as it is in Sheffield, where there used to be 65 working men's clubs but the number is now down to about 30. It is probably the same in Doncaster, which you represent, Mr. Deputy Speaker. What is killing them off most is fear—people are afraid of going out at night and of taking the wife out on a Friday or Saturday and getting breathalysed. Members of working men's clubs will tell hon. Members that. Why do members not bother to come? Why can they not even get enough people for a game of bingo? Club members do not want to get breathalysed; they would sooner buy a six-pack, sit at home and watch television.

Mr. Spearing: I understand many of my hon. Friend's arguments, but in his catalogue of what may be justifiable crimes, is he telling the House that we should not be worried if people drive around having had not just two pints but sufficient alcohol to be above the limit? If my hon. Friend analyses what he has been saying—apart from some of the justifiable criticisms that he has made—he will surely realise that he has not tackled the proposals made in the new clause.

Mr. Ashton: Yes, I have. I am trying to get across the message that every person and every area is different.

Mr. Spearing: Even if they are over the limit?

Mr. Ashton: Let me finish putting my case.

Everyone I know who drinks and drives occasionally is in favour of tougher sentences for drunk-driving. They think that a drunken driver who kills someone should go to prison for 10 or 15 years. Everyone I know who is against random testing is in favour of tougher sentences. To say that because one likes a drink one is in favour of drunken driving is like saying that because one likes sex one is in favour of rape. It is not true. It is nonsense.

It is not true to say that, because people like to drink a pint of beer and then drive home from the pub, they are in favour of killing people on the roads or that they support drunken drivers who are a menace to society. However, they object strenuously to people who do not drink but who assume that because they would feel woozy and unfit to drive a car after one pint of beer everyone else is the same. People who do not drink make far too many generalisations, and assume that, because drink has a powerful effect upon them, the bloke sitting next to them who has drunk a pint is not fit to drive either. That is not true.

Mr. Spearing: I cannot have expressed myself sufficiently clearly. My hon. Friend may be justified in making some of those remarks, but is he saying that a person who agrees with the legal limit—I think that we all do, even those who drink two pints and then drive home—thinks that people who go above that limit should not be subject to some sort of check? He must realise that someone who has had more than the legal limit is a dangerous driver—whether that limit is too high or too low is another argument.

Mr. Ashton: The average person would accept it if the existing check prevailed. If someone drives a car which is swerving or if there appears to be something wrong with the car or the way it is being driven, it is perfectly acceptable for the police to stop them. No one is arguing about that. The average bloke, who might drink one pint and then drive home, is saying that it is monstrous if testing becomes a lottery, depending on where one lives, the time of day and whether one takes a chance and has a pint. That is too much of a lottery.

As always, the King Herod principle is in operation—because a handful of football hooligans cause a riot at Tottenham, away supporters are banned from every ground in the country, or because there is a problem with Leeds football supporters, one does not let them go to Hull. That is not what policing and justice are all about. Justice is about punishing criminals.

Mr. Roger Gale (Thanet, North): Is not the crux of the hon. Gentleman's argument simply the fact that the random breath test will not work? Is it not a fact that the police do not want to be pinned down at a road block, stopping motorists and breathalysing people who have probably not been drinking, while all manner of mayhem is going on just around the corner? They would much sooner go out on patrol to do the job that they have been trained to do.

Mr. Ashton: The hon. Member is absolutely right. There will be a lottery, depending on where one lives. In Nottinghamshire, they are red hot on breathalysers. In Derbyshire, they are red hot on speeding. If you happen to live in Sheffield, then for God's sake don't park on a yellow line. Every police force has its foibles and whims. The public know that if they do certain things in certain areas they will get the chop.

Mr. Spearing: That is a criticism of the police.

Mr. Ashton: Yes, it is. Let me tell my hon. Friend, however, that elected councillors have no say in these matters. I would not mind if it was the county councillors who told the chief constable, "We want you to crack down," but it is not—the chief constable himself decides. It is for him to say, "This is operational—you cannot tell me that I can or cannot implement it."

The public have no way of protesting democratically. If they think that the chief constable is being too tough with the breathalysers, there is not a damn thing that they can do. They cannot vote against it; they cannot complain about it; they cannot raise it in the House by putting down a question asking the Secretary of State for Transport to go and see the chief constable. We have been through this before, although when the issue last came before the House—two years ago—it was not even raised during a transport debate; it was raised during discussion of the Criminal Justice Bill, and it was beaten then, but now it is trying to surface again.

Although I agree with my hon. Friend the Member for Deptford that the number who are killed by drunken drivers—800 out of 5,000—is far too high, she gave us no figures to show how many people are killed, for instance, by lorries on the motorway which are carrying too much weight and cannot brake in time, or by fog, or by speeding. All those are killers, and all need seeing to, but we never debate them or vote on them. This is the campaign that has been adopted, perhaps because it is considered a vote winner, with the result that a section of the motoring public are continually driving in fear.

If the new clause is passed, many towns and villages will find that Saturday nights become drastically and

[Mr. Ashton]

traumatically different. Social life will be affected, and employment will suddenly vanish for those who rely on catering and the pubs and clubs for their living—waitresses, for instance, and other working-class people who may have part-time Saturday night pub jobs.

Mr. Stephen Day (Cheadle): I do not wish to be unfair to the hon. Gentleman, so I am giving him an opportunity to clarify his position. He seems to be trying to excuse drink-driving.

Mr. Ashton: I am putting a case for the status quo. The present system is working—the number of drink-related deaths is falling every year. The hon. Gentleman may think that, if drink had been abolished, those 800 lives could have been saved, but 400 of them would probably have been lost in other circumstances. Accidents happen.

Random breath testing would have a major impact on Nottinghamshire life at Christmas. The average person wants tougher penalties to be imposed on those who cause accidents when they have been drinking and driving. The other day, someone who had killed a young man did not even lose his licence; he was simply fined £250. A famous television star was involved—I mention no names, but hon. Members will know who I mean. That caused tremendous anger—understandably so—but no drink was involved. There are massive inconsistencies in the penalties handed out by the courts. The alternative is mandatory confiscation for 12 months for those 2 per cent. in excess of the breathalyser limit.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. Unless speeches are briefer and interventions fewer, we shall be here until very late.

Mr. Channon: Let me bring the debate back to the point at which the hon. Member for Lewisham, Deptford (Ms. Ruddock) said that we must address the matter very seriously. It is indeed a serious issue, and I congratulate her on bringing it to the attention of the House.

The debate has shown that views differ strongly across the parties. The feeling of the House is not monolithic; many Conservative Members agree with the new clause, and I suspect that some Opposition Members apart from the hon. Member for Bassetlaw (Mr. Ashton) oppose it. Surely we can all agree, however—indeed, the hon. Member for Bassetlaw just said as much—that we want a continual reduction in drink-driving.

Admittedly, the figures have fallen substantially. I believe that they have halved over the past 12 or 13 years, from about 1,790 to about 840. That is a great success, but it is not good enough. My right hon. Friend the Member for Castle Point (Sir B. Braine) and others are quite right to say that we should do all that we can to reduce the number who are killed or maimed in accidents caused by drink—or, indeed, by any other factor. The question that the House must decide is whether random breath tests will achieve the desired effect, and I do not think they will.

6.15 pm

I readily concede that many people outside, and masses of well-meaning organisations of high calibre, think that random testing is the answer, and those who argue against it may sometimes feel that they are in the minority. Nevertheless, I strongly disagree. Unlike the hon. Member for Bassetlaw, I do not think that it will make an enormous difference, nor do I think that the way in which the House decides tonight will have the dramatic effect anticipated by either the hon. Gentleman—as an extreme opponent of the new clause—or its extreme proponents. As we have been told time and again, the police already have the necessary powers.

Mr. Day: Will my right hon. Friend give way?

Mr. Channon: This is the one and only time that I shall do so. I am sure that hon. Members want me to get on with my speech.

Mr. Day: Again, I seek clarification. My right hon. Friend has referred to extremist viewpoints; will he identify those viewpoints in the well respected organisations that have supported the measure?

Mr. Channon: I am not trying to criticise any organisation. I am merely saying that there are those who are enthusiastically in favour of the new clause, and those who are enthusiastically against it; and that, whatever the outcome, they will find that it does not make as much difference as they feared or hoped.

The present law has been cited several times. My hon. Friend the Member for Brighton, Kemptown (Mr. Bowden) has explained what goes on in Sussex; as we all know, in effect, random testing already exists. I have read the persuasive speech made in Committee by my hon. Friend the Member for Beckenham (Sir P. Goodhart), who rightly said that the police already have the requisite powers. Over the years, there have been many instances of police forces stopping people in such circumstances.

The powers already exist; do we need to increase them? There may be a case for clarifying the law, but I think that it is already fairly clear. It has been explained again many times this evening: it is well understood that the police have the power to stop drivers and, if they have reasonable cause to believe that they have been drinking, to apply the breathalyser. Well, once he has stopped someone, it is not very difficult for a constable to decide that he has reasonable cause: he may not like the way in which the driver answers him, or the driver's breath may smell of drink.

What is the attitude of the police to the proposals? Some years ago, when my hon. Friend the Minister and I dealt with the issue, the police were altogether against random breath tests, but they changed their minds with remarkable speed over 24 hours: having been violently anti, they became violently pro. They have now made it clear, however, that they are not in favour of the random roadside checks recommended by the hon. Member for Deptford. The want unfettered discretion: they want to be able to stop any driver, regardless of whether he has committed an offence. I wonder how much they will use the measure if it is enacted. I have read an article in which the chief constable of Warwickshire, who I believe was president of the Association of Chief Police Officers and who is very concerned about the matter, explains that the police want unfettered discretion rather than what the Government propose.

The new clause will force drivers to pass through a check; the police will stop every car, or one in 10—as suggested by the hon. Member for Deptford—or one in five, or one in 20. I do not think that that will add much to the number of people who are caught. According to a

parliamentary answer given the other day to my hon. Friend the Member for Eltham (Mr. Bottomley), some 100,000 tests would have to be carried out to establish that 1,000 extra drivers were over the limit.

There are many other better ways of using police resources to prevent drink-driving, and that is my point. If the police want to increase their efforts in that regard, as they clearly did in Nottinghamshire—and I certainly would not oppose such a move—they can target tests and are much more likely to get convictions than under a system of random breath testing. What the police want is either to have unfettered discretion or to target people—to say that all young people, for example, must go through the checks. That is what some Opposition Members and the National Council for Civil Liberties and others find objectionable; they think that young people or people in their thirties are most likely to fail the breath test.

Even the most jaundiced observer must agree that this country's record of road accidents is better than that achieved elsewhere in the Community. No wonder the European Commissioner is worried about traffic accidents. Elsewhere in the Community, the record is very bad; Britain's is much better. That is not to say that we should be complacent. We should try to find ways of reducing the number of accidents still further. We have had campaigns to protect children—I have been involved in them myself—and on other important issues.

What is the best way forward? The efforts made over the years by successive Ministers at the Department of Transport to increase publicity and deal with the treatment of offenders and the whole question of breath tests—I pay tribute in particular to my hon. Friend the Member for Eltham, who did much during his period of office to increase public awareness of the issues—have ensured that the public are now much more aware of the risks of drink-driving, and people feel far more strongly about the subject than they did five years ago.

Would random breath testing change the situation? The police already have powers, and they do not want the powers that the hon. Member for Deptford would thrust upon them. Moreover, if the police increased their efforts in a more targeted way, they would be more likely to be effective and to catch drunken drivers, which is our whole purpose. I shall be voting against the new clause, and I hope that a great many hon. Members will join me.

Mr. Fearn: I added my name to the new clause because, in Committee, I was adamant that something needed to be done to restrict drink-driving. We need a deterrent. We have all met the person who thinks that accidents never happen to him or who believes that he will be all right because he knows—or thinks that he knows—his limit and feels that his ability will not be impaired. We have all met people who think that they will never be caught; there are many of them.

As we have already heard, a recent survey by the transport and road research laboratory showed that 42 per cent. of those who admitted to drinking and driving did not think that there was any great chance of detection under existing practice. Until drivers are convinced that there is a good chance that they will be stopped, tested and charged, drink-driving will continue to cause death and destruction on our roads.

Before I deal with civil liberties—the subject on which I wish to concentrate today—I must express my disappointment that, on a matter such as this, Conservative Members are not to be allowed a free vote. I do not understand why. Clearly there are many arguments for and against the new clause, and hon. Members ought to be able to express their views and beliefs through a free vote. The Liberal Democrats are to have that opportunity. It was evident from the vote on the Road Traffic (Random Breath Testing) Bill 1987, introduced by the hon. Member for Worsley (Mr. Lewis) and sponsored by myself and others, that, given the opportunity, hon. Members would overwhelmingly support the new clause. I am sorry that they are not to have that opportunity.

We have heard the cry that random breath testing will infringe a person's civil liberties. That may be true, but the claim can be refuted. As I have pointed out both in the House and in Committee, anybody who gets behind the wheel of a car while under the influence of alcohol automatically and immediately infringes the liberty of others. Random breath testing will protect the liberties of the majority of road users.

The roadside checks that the new clause advocates will be conducted in controlled conditions, with authorisation in writing from senior police officers. In some respects, such checks would represent less of an infringement of individual liberty than the present system, because all drivers would be treated equally. At the moment, individual police officers or traffic patrols can pull a car over when they want to test for drink-driving or when they suspect that the driver may have been drinking, if the car has any defects, no matter how minor—it could be inadequate lighting over the licence plate. They have discretion at that level to make a random breath test.

That has often led to the accusations that the police target certain individuals, especially the young. The statistics tend to back that up, although surveys show that those most likely to be guilty of drink driving are in the older age groups. Unnecessary ill feeling and friction often arise as a result of present practice. That would not happen if motorists knew that any driver was likely to be pulled over and we have heard how, in New South Wales, random roadside testing is believed to have improved public relations between motorists and the police.

As I said, I do not want the discretionary powers of the police to be reduced, but I believe that they would become less necessary if we introduced roadside checks. Such checks would certainly be less of an infringement of people's civil liberties than certain measures advocated by the anti-random breath testing lobby. I refer in particular to the measure in early-day motion 495, which suggests that one method to be used as a deterrent should be

"inquiry by police and courts as to the drinking locations and companions of the illegal driver".

Surely such measures would lead to greater infringement of the liberties of innocent persons. I do not think that the clientele of public houses, wine bars, or other drinking establishments would greatly appreciate the courts or the police making inquiries into how they spent their leisure time.

Mr. Peter Bottomley: If the hon. Gentleman and I were drinking and I knew that he would be driving afterwards, I would say to him, "You should not be taking alcohol." My right hon. Friend the Member for Castle Point (Sir B. Braine) would also insist on that. If people continue to believe that they have no responsibility for those with

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whom they are drinking, and if those with whom they are drinking then kill someone, it is perfectly reasonable for the police and the courts to make inquiries.

Mr. Fearn: I wish that everyone were like the hon. Gentleman and me. Perhaps he and I would do and say that, but not everybody would, and irresponsible people do go out and kill people—we know that the figure is at least 800.

Random breath testing is supported by many organisations, including the NCC and the Consumers Association. Some 3,000 of the 3,400 responses to the Home Office consultation paper on changes to breath testing legislation favoured additional powers for the police. Surveys conducted on behalf of the Consumers Association and others show that the public at large would support more random breath testing and are willing to surrender part of their individual liberty in the interests of the liberty of the majority.

The House is representative of the people. It has the power to do something on their behalf. I hope that, in the interests of preventing the carnage on our roads, hon. Members will break ranks tonight and support the new clause, which is a most worthy proposal.

6.30 pm

Mr. Day: Before coming to the points that I want to make in support of the new clause, I should like to thank the Minister for his forebearance in the meeting that he had this morning with my hon. Friend the Member for York (Mr. Gregory) and myself. We are very grateful to him for listening to our views.

I wish to make it clear that, in my remarks on the new clause, I speak not just as an individual but in my capacity as co-chairman of the Parliamentary Advisory Council for Transport Safety. Also in that capacity, I wish to put on record the disappointment of the council that our amendments on retesting for alcohol-related offences—amendments that had all-party sponsorship—were not called. We feel that those are central to the potential of the Bill. Indeed, they reflect a major part of the recommendations of the North report.

The case for introducing random breath testing in the United Kingdom can be summarised by reference to three pieces of Government research—one Australian, and two British. First, research conducted by the transport and road research laboratory found that a large proportion of drivers in the United Kingdom who admit to drinking and driving believe that the chances of their being caught are small. This perception is confirmed by information on the actual risk of detection from the British crime survey, which suggests that the chances are as little as one in 200 excess-alcohol driving trips.

Secondly—this has been referred to already—research conducted by the Government of New South Wales shows that highly visible mass random breath testing, targeted at times when drinking and driving is most prevalent, increases the driver's perception of the chances of his being caught, thus deterring potential offenders and reducing the number of road accidents.

Thirdly, there is evidence that United Kingdom drivers surveyed by the transport and road research laboratory believe that routine random breath testing would provide an effective acceptable way of reducing the number of road accidents. Indeed, the hon. Member for Lewisham, Deptford (Ms. Joan Ruddock) presented all the arguments supporting the case for random breath testing.

I propose to deal with some of the arguments that have been advanced against its introduction, none of which I find particularly convincing. I was surprised by the recent motion of my hon. Friend the Member for Eltham (Mr. Bottomley), which suggests that the available evidence does not support the belief that mass random breath testing would be helpful. A number of countries have introduced the measure, but I shall restrict my remarks to the evidence from New South Wales, as the experience there has been rigorously monitored, and there is much information on the effects.

Random breath testing was introduced in New South Wales in December 1982 as a three-year experiment. The overall objective was to create a very high perceived risk of being randomly breath tested if one continued to drink and drive. The figures that I am about to quote may be found in a paper entitled "An Overview of the Random Breath Testing Trial in New South Wales", which was produced by three members of the New South Wales traffic authority. I commend that paper to my hon. Friend the Member for Eltham in particular.

Mr. Peter Bottomley: Does my hon. Friend have a copy?

Mr. Day: I shall show my hon. Friend a copy afterwards.

Part of the monitoring exercise of the trial to which this document refers was to look at the effect of the measure on accidents and casualties. It was found that, as a direct result of random breath testing, the average yearly reduction in the number of all fatal crashes was 21 per cent. The average yearly reduction in the number of crashes involving injury of all levels of severity in which the driver or rider was over the legal limit—in the case of New South Wales, 50 mg per 100 ml—was more than 35 per cent. Public support for the measure rose from 64 per cent. before random breath testing to 85 per cent. afterwards. Social security savings amounted to 20 times the cost of implementing the measure. So convincing were the results that the measure was placed permanently on the New South Wales statute book. Michael Knight MP, the then chairman of the parliamentary committee charged with assessing the affects of the measure, concluded:

"Random breath testing has been the single most effective tool in the struggle to reduce the road toll in the history of New South Wales."

Therefore, it is simply not the case that the call for random breath testing cannot be supported by good evidence. Evidence from Sweden shows that random testing works not only in countries that have higher levels of drinking and driving than does the United Kingdom, but in countries where the levels are much lower.

It is important to point out that simple comparisons, between international rates of progress in this field can be misleading. I am sorry that they have been used as an argument against random breath testing. The argument runs that as the United Kingdom has reduced drink driving faster than most other countries, why should the existing policy be changed? That question has been asked in the House today. It is a welcome fact that we have made good progress during the last 10 years, having reduced the rate of over-the-limit deaths from one in three to one in five. This has come about as a result of a number of

factors: changes in the 1981 Act providing for evidential equipment; increases in breath testing; and increased social pressure as a result of Government publicity campaigns and the efforts of the campaign against drinking and driving.

However, if we stick to simple comparisons, we shall not do as well as we could. Sweden, for example, could be said to be doing better, having got the rate of over-the-limit deaths down to one in 14. But in reality, these figures do not mean very much. We have to remember that different legal limits, mixes of traffic, climate and road conditions all confound meaningful and scientific comparison between international rates of progress in this area. We heard this type of argument during the debate on the legislation making the wearing of seat belts compulsory for front-seat passengers, when crude number-crunching exercises were advanced to suggest that seat belts did not appear to save lives, because savings did not show up easily in some national data. It is fortunate that those negative arguments did not hold sway.

I have the greatest respect for my hon. Friend the hon. Member for Eltham. Indeed, I think that he was one of the best Transport Ministers we have ever had—especially in road safety. I am particularly surprised at his attitude in advancing this sort of argument. I find it difficult to square his present stance with the stance that he took when he was responsible for roads and traffic. In answer to a parliamentary question on 4 April 1989, he advised against drawing simple international comparisons of this kind. He

"Simple comparisons and statistics may be misleading; for instance, the legal limit for blood alcohol content in New South Wales is 50 mg/ml, and in this country it is 80 mg/ml." —[*Official Report*, 4 April 1989; Vol. 150, c. 18.]

Mr. Peter Bottomley: I hope that I shall get an opportunity later to speak in my own right, but I should like to put this matter in context now. As I understand the situation, the difference between the figures produced by the 50 mg level and the 80 mg level is probably two percentage points. My understanding is that the figure for dead drivers above the legal limit in New South Wales is 33 per cent., and that in this country it is 19 per cent. If the two percentage points were added, the figure for dead drivers above the legal limit in this country would be 21 per cent. There does seem to be an unexplained difference. Perhaps New South Wales would gain by copying us.

Mr. Day: I readily acknowledge my hon. Friend's great understanding of these matters, but the assumption at the end of his intervention did not necessarily correspond with the facts that he had put forward. However, I take note of what he said.

I wish to return to the suggestion that sufficient breath testing is being done at present and that, somehow, conducting random breath testing would be going over the top. According to the last set of annual figures for England and Wales, only one in 50 drivers was breath-tested annually. That means that, on average, drivers are breath-tested only once in their driving career. That is hardly excessive or overbearing. The figures provided to the Parliamentary Advisory Council for Transport Safety by Her Majesty's inspectorate of constabulary suggest that the average number of breath tests per traffic officer is only one per week. Again, I do not feel that that is in any way excessive. Even the most enthusiastic random breath testing policy, which aims at the testing of one in two drivers annually, would result in every driver being breath-tested only once in two years. In my view, that is hardly excessive.

I emphasise that this new clause does not seek to give the police unfettered discretion to stop motorists and breath-test them. Despite the explanation by the hon. Member for Deptford, the intention seems to have been misunderstood as being to increase the rate of detection. In fact, it is to increase the level of deterrence. We do not want to detect drunken drivers; we do not want to have drunken drivers on the road at all. That is what the new clause is all about.

I do not accept that because the police can act to stop motorists under two separate sections of the Road Traffic Act 1988, they necessarily have sufficient powers. That legislation has led to great confusion, particularly regarding interpretation. The chances of detection range between one in 250 journeys in some parts of the country, and one in 4,000 in others. Such a lottery can hardly be fair.

The extra power in the new clause would clarify the position for drivers and, more importantly, for chief constables. As I said on Second Reading, I have heard Ministers say that the police already have adequate powers to act and that no further measures are necessary. That implies that the Government accept the principle of random breath testing—we are arguing only about the practice—so why cannot they accept the new clause?

I would welcome an explanation of how the Government hope to achieve casualty reduction figures while rejecting the major contribution that the new clause would make towards achieving those figures. Will my hon. Friend the Minister explain how he hopes to convince the 42 per cent. who admit to drink driving yet believe that they will get away with it, to change their ways, if the Government are not prepared to take further action. There is a danger that the public will believe that the Government find that 42 per cent. acceptable.

As for civil liberties, I am sure that no hon. Member would agree that people have the right to take whatever action they wish, irrespective of the consequences for others. We all broadly accept that responsibilities go with rights, and we must therefore also accept that drink drivers are, tragically, often guilty of that.

I remind the House that drink driving-related accidents account for 800 deaths and 22,000 casualties a year. Furthermore, half of the victims will not have been drinking and driving.

Mr. Kenneth Hind (Lancashire, West): While my hon. Friend is on that subject, does he agree that a possible alternative way to deal with the problem is to ensure that every driver who is caught driving over the prescribed limit is charged with reckless driving? Such a charge could be made on the basis that, in this day and age, to get into the driver's seat knowing that one is over the limit is a reckless act. It therefore follows that if, as a consequence of drinking and driving, they cause death, they should be tried for causing death by reckless driving.

6.45 pm

Mr. Day: My hon. Friend's remarks are worth considering. Although penalties are important, they are not the main factor. Deterrence is the most important factor, so, to some extent, penalties apply, but the greatest

[Mr. Day]

deterrent is to know that one has a chance of being caught. The new clause is important, because it will increase the public's perception of the possibility of being caught.

A significant number of my hon. Friends have asked whether we could have a free vote on the new clause, and I register my disappointment that that has not happened. The Government could have paid no greater or more eloquent testimony to the arguments of the Parliamentary Advisory Council for Transport Safety than to apply a three-line Whip. The measure should have been dealt with in the same way as the seat belt legislation and left to the individual conscience and intelligence of hon. Members. Many hon. Members, whatever their views on the matter, would have wanted that.

I hope that hon. Members, whatever they feel about the issue, will consider the matter in depth. They must all agree that lives are important and that drinking and driving is silly and wrong. Notwithstanding the three-line Whip, I hope that they will join me in the Lobby in support of the new clause.

Mrs. Margaret Ewing (Moray): I shall be brief, particularly as so many of the arguments have already been put most volubly by other hon. Members.

When I added my name to the new clause, I did not expect the hon. Member for Bassetlaw (Mr. Ashton) to call me a killjoy, especially as I represent no fewer than 43 distilleries on Speyside, and have a strong interest in the future of the whisky industry. I emphasise to the hon. Gentleman that, although I have that interest at heart, I also recognise the importance of the new clause. He may care to reflect on that fact that people who now visit distilleries on Speyside as part of a tourist visit, instead of being offered a dram of whisky at the end of the visit, are now offered a miniature to drink when they get home. That shows the responsible attitude that the distilleries have adopted to the problem of alcohol abuse.

Like the hon. Member for Bassetlaw, I represent a substantial rural constituency, but I cannot accept his argument that the introduction of random breath tests will result in many restaurants, bars and clubs closing down because people will be frightened to move.

In my constituency, especially on Friday and Saturday nights, most of the vehicles going to social gatherings are taxis. Taxi drivers have benefited from the introduction of the breathalyser test. My constituents must cover vast distances but they join together to share taxis in order to avoid drinking and driving. Alternatively, one person in a group exercises self-discipline and says, "I am driving so I shall not drink, and that is the end of it." I have sat through many a party into the wee hours of the morning, nursing a tonic or a soda water. I wish that all drivers would exercise the same self-discipline.

Also in my constituency, I have the chairman of an organisation known as SCID—the Scottish Campaign against Irresponsible Drivers. That organisation would agree with many of the arguments about sentencing policy and about the need to look at other aspects of road safety —for example, how many years' driving experience people should have before they sit beside a learner driver, and other aspects that it considers part and package of its campaign against irresponsible driving. However, it has also consistently emphasised the need for random breath testing. It sent to me, and presumably to many other hon. Members, case histories of the families of victims, where young people had been killed by drink-drivers. They show the sheer psychological torture through which those families go as a result of such bereavement. One cannot help but be touched by those stories.

The House has a responsibility to those families who have been deprived of one of their loved ones in such a way and should back a campaign that is worthy of support and has clear public demand. We also have a responsibility to remind drivers what they stand to lose if they are convicted of drink-driving. They will suffer the humiliation of being found out. Many of them will lose not only their licences but their jobs. Their loss can bring family tensions, and their recklessness can destroy the innocent lives of their own families. I am making a plea for drivers to exercise greater self-discipline and to remember what they may lose.

The hon. Member for Havant (Sir I. Lloyd) mentioned self-test kits. Just before Christmas, there was a possibility that such kits might be introduced in Scotland. The idea was rejected by representatives of the Scottish Office, so it was not encouraged. It seems possible that putting self-test kits in any establishment where alcohol is served might encourage people to drink up to the maximum legal level, rather than discourage them from drinking at all.

I would prefer it to be an offence to drink any alcohol when one takes a car on the road. A car is the most lethal weapon that any of us are likely to own in our lifetime. To take alcohol while driving that lethal weapon seems to be the height of irresponsibility, and I shall not encourage the use of self-test kits. I listened to the intervention of the hon. Member for Havant with care, but was not persuaded that encouraging people to drink up to the legal limit was the best way forward.

Sir Ian Lloyd: I have carefully studied the issue, and I know that, where such instruments have been generally and widely available, there is no evidence that they encourage people to drink up to the legal limit. The obverse is true—the lower the limit, the greater the obligation on those who may take a drink or half a drink and then drive, to find out specifically, before taking the risk, whether they are in a position to drive.

Mrs. Ewing: While I accept that point, I believe that various tests have shown that different kits give different readings. If they are to be introduced, they will have to be critically monitored to ensure that they are effective. I am not yet convinced that they are that efficient. We must try to become a society in which people do not drink and drive at all—we should legislate for that, as many other European countries do.

Many hon. Members who are opposed to the new clause have argued that it will not resolve the problem, because there is no guarantee that we will catch additional drink-drivers. The purpose of the new clause is not to catch drink-drivers, but to deter them. If an individual feels that the police are able to use random breath testing, that will act as a deterrent. If we keep off the road just one more possible drink-driver who is likely to cause an accident, the new clause will have the potential to save lives and avoid injury. The purpose of the new clause is to act as a deterrent—surely we should support that.

Sir Philip Goodhart: The hon. Member for Moray (Mrs. Ewing) made a powerful speech, with almost every word of which I agree.

I do not think that any of us would dispute the fact that drink driving is a serious social and human problem. Since the breathalyser was first introduced 25 years ago, at the end of the 1960s, more than 25,000 people have been killed by drink-driving on this country's roads. In a quarter of a century, the number of humans we have wiped out is equivalent to the entire expeditionary force in the Persian Gulf.

The position is improving. During the past 10 years, the number of people killed and injured by drink-drivers on our roads has decreased by 50 per cent. There are a number of reasons for that, including a changed perception within society. The fundamental reason why the number of deaths and injuries on our roads has dropped so sharply is that the number of breath tests during the past 10 years has trebled—three times more breath tests were given in 1990 than in 1980. The public's perception that the police now put far more effort into carrying out breath tests has led to that quite dramatic reduction in the number of deaths and injuries.

There are more breath tests than there were, because the police take a much broader view of their powers to stop drivers. During the past few years, we in this country have developed a system of de facto random testing. There is random stopping, which almost invariably leads to testing. The police have introduced a system which is, in effect, random testing, but the House has not yet given them the powers to implement it.

We tell the police to stop people randomly, but we hesitate to give them the powers for random testing. It is interesting that so few people want to abolish the power of random stopping. Even the hon. Member for Bassetlaw (Mr. Ashton), who made a powerful speech against the new clause, does not want to abolish that power. He said that he was in favour of the status quo, but he did not say that he wanted to go back on the status quo and abolish the right of random stopping. Even he is happy with that power as it exists.

If there were an amendment giving the police what they want—unfettered powers to stop and test—I would vote in favour of it, but there is no such amendment. Instead, we are discussing the much more limited new clause, which was moved so well by the hon. Member for Lewisham, Deptford (Ms. Ruddock). I am prepared to vote for it because I believe that it will increase the deterrent power, which is all-important.

In Committee, my hon. Friend the Minister for Roads and Traffic said that our acceptance of the new clause and its implementation by this country's police forces would cost an additional £12 million a year, which is a lot of money. However, the 800 deaths a year caused by drink-driving also cost society a great deal. If increased deterrence leads to a further reduction in such deaths of 10 per cent. a year, and we save an additional 80 lives a year at a cost of £12 million, that money will be well spent. I intend to support the new clause this evening.

Dr. Godman: I promise to be brief. My speech will not be as learned as some that we have heard this evening, and I intend to offer no comparative evidence in support of the new clause.

I have been astonished by the level of knowledge of the traffic laws of other countries shown by some hon. Members. It seems that many hon. Members have visited New South Wales, Sweden and other places. The hon. Member for Cheadle (Mr. Day) is but one of the hon. Members who used comparative evidence extensively in his support of the new clause. The hon. Member for Eltham (Mr. Bottomley) seems to be a brilliant expert in the methodology of statistical analysis. I shall skip that approach.

I think that the hon. Member for Cheadle said that drink-driving is silly behaviour. He seems to be nodding, but I am sure he would agree, on reflection, that drink-driving is dangerously irresponsible behaviour, whether the driver has drunk one pint—to quote my hon. Friend the Member for Bassetlaw (Mr. Ashton)—or four or five pints, or two or three glasses of the best Chardonnay. To drink and to drive is to commit an irresponsible act.

Mr. Day: If the hon. Gentleman checks the record, he will find that I added something to that statement which is more in tune with what he is saying.

7 pm

Dr. Godman: I am pleased that the hon. Gentleman intervened.

The new clause would act as a pretty powerful deterrent, and that is how we should regard it. The police forces involved would need a code of practice, as the new clause states, which would emphasise the need for civility, courtesy and firmness when checking people. The number of people who are killed and maimed because others commit the dangerously irresponsible act of getting behind the wheel of a car after having drunk alcohol should persuade hon. Members to ignore the Whips and to support the new clause.

I wish to make one criticism of the irresponsible behaviour of courts in Scotland. I say "irresponsible" because some of our sheriffs impose appallingly slight sentences on people who have been convicted of drink-related offences. When a driver's skills have been impaired by drink to such an extent that he or she causes an accident or hurts someone, he or she should receive condign punishment when convicted in a court of law. Too many sheriffs have let people off with trivial sentences.

If the new clause is to act as a deterrent, people who are convicted of such offences should be punished, and punished severely. I look forward to the day when the European Community, by way of a qualified majority vote, introduces to the 12 nations a drastically reduced permissible level of drink for drivers. When that issue was raised in the Council of Transport Ministers, it just failed to get the qualified vote. I look forward to that vote being reversed.

As the hon. Member for Moray (Mrs. Ewing) said, people should not drink before getting into a car. That is why I disagree profoundly with my hon. Friend the Member for Bassetlaw. There should be no question of having a pint and then getting into a car. If one is driving, one should not drink at all. That is the message that the House should send out, whatever happens to the new clause.

Mr. Peter Bottomley: I agree. It is important that people get the message that they should either drive or drink, but not both. The choice is the bottle or the throttle —"If you have the wagon, stay on the wagon." People should get together with their friends and appoint a driver.

I disagree with the hon. Member for Bassetlaw (Mr. Ashton) on one point. Cutting out drink-driving—rather

[Mr. Peter Bottomley]

than reducing it to the legal limit—is not against the interests of the country pub. Anyone who thinks that it is should get in touch with Ron Jones who used to be the president of the National Licensed Victuallers Association and is landlord of the Friar Tuck and of the Little John, in Hatfield Woodhouse, nine miles east of Doncaster. He is a Yorkshire publican who will confirm that, if a pub does its job correctly and provides an attractive range of non-alcoholic and low-alcohol drinks, and if people either walk to the pub—one advantage of having a local—or allow one person to drive others, the pub's takings will increase because three people will not each feel guilty about their car or motor bike in the pub car park.

There are three problems with which we must deal—apathy, ignorance and stupidity. I usually tackle the problem of apathy by quoting the first paragraph of an article written by Auberon Waugh in *The Spectator* on 15 February 1986. It was the first article that affected me when I went to the Department of Transport as one of the predecessors of my hon. Friend the Minister. It is well worth reading for those who have not yet done so. It appears in most road safety debates.

However, I prefer today to read from a booklet produced by MADD, Mothers Against Drunk Driving, which is an American organisation. The booklet is called "Will It Always Feel This Way?" The first page is entitled "What it feels like now". It states:

"Right now, if you are like most people responding to the killing of their child, you are experiencing pain.

The pain can feel as though it is in one special place—your head or chest. Or it can feel as though it has taken over your whole body. Or it may just be pain, not settled anywhere.

The pain can be so intense that it is almost intolerable.

You feel driven to do something, even while knowing there is nothing that can be done.

It is hard to concentrate, easy to become distracted. You may start an activity, forget what you were about to do, start again.

If you are thinking about the child killed, however, you don't become distracted. Then you are focused. You may have the feeling of still being able to do something for the child. You may feel this way even if in the back of your mind you know that it isn't so.

You may feel filled with anger. You are likely to be angry at the drunken individual who was truly responsible for the killing; but you may also be angry at members of the legal system or the hospital staff. You may be angry at anyone who doesn't understand.

Your anger can be directed against yourself for not having done something that would have prevented what happened —no matter how illogical this is."

It continues. No one should doubt that we have a serious responsibility in terms of legislative powers, as do the police and everyone involved—the driver, the passenger, the host, the drinking location, the breweries, the Scotch Whisky Association, and others.

We all have a responsibility to cut out the remaining 840 deaths a year, but I suspect that the figure is probably down to about 650. There were 840 deaths in 1988. Each year we have, on average, cut the deaths from drink-driving by 100. We have halved the number of those deaths in the past 10 years. Sadly, that cannot be claimed by other countries.

We have talked about New South Wales, and I congratulate it on its achievements between 1982 and 1984. I do not have the information necessary to allow me to congratulate it on its achievements since then, but there is no doubt that it cut its drink-driving deaths between 1982 and 1984. It introduced mass random breath testing.

If we introduced testing to that extent, we should have as many tests each week as we currently have each year. There would be 25 million tests a year instead of approximately 500,000 a year. Every statistic may not be right. Some refer to England and Wales, some to Great Britain and some to the United Kingdom, but the rough figure is that there would be 25 million tests a year instead of 500,000. That would not do a great deal to increase detection.

I disagree with the hon. Member for Lewisham, Deptford (Ms. Ruddock) on one point—deterrence must be built on the experience of detection. People would believe that they were being deterred only for about six months if there were not increasing detection.

In 1967, when the breathalyser was introduced, for a few months, nobody took alcohol and drove. People then discovered that they did not get caught every time, so they slipped. There was a momentary boost to life—a momentary reduction in drink-driving casualties.

I came to the subject in 1986, although I had the normal interest of a Member of Parliament before that, as has my right hon. Friend the Member for Castle Point (Sir B. Braine), the Father of the House, with whose speech I basically agreed.

In 1986, at the Department of Transport, I rediscovered the transport and road research laboratory. An inter departmental committee also recommended that we should move money from the publicity budget to research.

I discovered that the probable reason why our road deaths in this country have improved so much faster than those in other countries and the reason why our road deaths are at half the level of the Community average—and dramatically lower than those above the Community average—is that, almost always, what we did was based on fact or on a disprovable hypothesis.

I recommend those who are some years out of university, of college, or of the Workers Educational Association, to go back to Karl Popper's book about the open society and its enemies. It helps to find a disprovable hypothesis.

From 1984 to 1989, for which we have the most reliable and easily available figures, we achieved more than any other country that I have yet been able to discover in the reduction of drink-driving fatalities. Let us all remember that the only aim is to save lives. We sometimes become carried away about saving lives. At the age of 80 or 90, I do not want heroic efforts to be made to give me an extra six months. If there was a way to cut out drink-driving among the young, many parents would avoid the misery to which the booklet by the Mothers Against Drunk Driving was directed.

In a wide alliance, which I helped to construct, we built on the work of those before 1986 to continue the reduction in drink-driving. If people refer to page 25 of the article by Derek Jones in "The Casualty Report—Road Accidents, Great Britain 1989", which was published in October 1990, they will see table 2J, which shows the transformation in drinking and driving by younger people.

The number of young men who normally drank beer in pubs or clubs was reduced by two thirds if one judges by the proportion of those who died who were above the legal limit. That does not solve all the problems. Auberon

Waugh is right to say that more people die in sober accidents than in alcohol-related accidents, but the alcohol adds to the risk.

Let us consider whether what we have been doing has worked. People kept referring to the comparison with New South Wales. In 1984, 33 per cent. of dead drivers in New South Wales were above the legal limit. In 1989, 33 per cent. of dead drivers in New South Wales were above the legal limit. There were fluctuations in between, but over that five years, the figures did not improve. Anyone who comes to the House and who uses that as an argument to switch away from what we do to what the authorities do in New South Wales will be killing people.

I want to postpone my remarks about the hon. Member for Kingston upon Hull, East (Mr. Prescott), who has a responsibility to share. I hope that he will return to the Chamber, because I do not want to refer to him without his being present.

In this country, we have cut the figure from 28 per cent. of our dead drivers being above the legal limit in 1984 to 19 per cent. in 1989—and the figure may be lower now. I do not think that there has been a dramatic continuation of the trend in 1990 or this year. The reason is that received opinion is suffering from a fashionable fallacy—that random breath testing, if introduced in this country, would make a significant difference to saving lives. There is no reason to believe that. If 40 per cent. of dead drivers were above the legal limit, there might be a difference. It would probably bring the reduction that my hon. Friend the Member for Cheadle (Mr. Day) mentioned. However, our figure is less than half of 40 per cent. What are people doing if they do not read the information?

7.15 pm

I should love to support random breath testing. If I thought that it would save a significant number of lives or if, on balance, it would save lives more effectively than the alternative approach has saved, I should support it, even if there was a three-line Whip.

However, I ask all those who have any doubts to vote against the new clause because, if it were introduced now, it would have the same effect as it would have had if it had been introduced two, four or six years ago. It would cause people to chase a system that does not have persistent results.

The hon. Member for Greenock and Port Glasgow (Dr. Godman) was right to say that there are three ways to cut casualties. First, every host, whether in a pub, at a party or in a family home, should have an attractive range of alcohol-free drinks available on display—people should not have to ask for them—and the host should expect people to take them. The County Surveyors Society was the first group in Great Britain—except perhaps for a temperance party—to put on the menu card, "Your hosts have provided alcohol-free drinks on each table and they encourage drivers to take them." In Northern Ireland, the vintners—the Northern Irish term for victuallers or publicans—at their first annual banquet, were the second group of people to do that. I do not see that happen at dinners of medical societies, at police dinners or at parliamentary dinners, although it is the host's responsibility to make risk-free drink available to drivers.

If we could have swapped half the random breath testing for the three points mentioned by the hon. Member for Greenock and Port Glasgow, we should have had fewer drink-drive deaths this week. Instead of 21 people in the United Kingdom dying through drink-driving, the figure might have been down to 15. One cannot always lead the media and one certainly cannot lead some of the leaders in the media to realise these points. I must make passing reference to Adam Raphael's succession of articles in the *Observer* over the past four years in which he has never given any of these facts.

The second point is that the passenger who includes their own driver in a round of alcoholic drinks is something that none of us would tolerate for an airline pilot, a train driver or a member of a crew of a ferry.

I have an image—perhaps a false image—of a 2CV with a hairy man with earrings sitting in the passenger seat. He goes into the pub and comes out, having bought a drink for the woman who is driving. They have a sign on the back saying "Nuclear power, no thanks", as though the risk of a scrap of radioactive dust resting on their noses for a second was in some way more dangerous than sinking a half pint or a pint or two in the pub and then going driving. Passengers, especially if they are over 18, are consenting adults in those circumstances. They are not totally innocent victims. Every passenger should pre-plan to be driven by an alcohol-free driver.

The third point concerns the drivers themselves. No driver should wait until half way through a party or a pub session before deciding how he is to get home or what he is drinking. We should encourage drivers to pre-plan.

Random breath testing will not help with any of those points. It is another part of the game of cops and robbers with the police. We do not want people to come anywhere near the legal limit and then to say that they are all right if they are below the level at which they can be arrested and convicted virtually automatically. We want less offending and less drink-driving.

It is fashionable to support random breath testing. When James Dunbar, the police surgeon from Tayside, first discovered what had been happening in Sweden and in New South Wales in 1985-86, he did a service to the country. He started to show that one could cut drink-driving pretty dramatically. His work was shown to various people, including myself. I went to New South Wales to check the figures, although I did not go to Sweden. I kept ringing up Sweden and asking people there to provide the information.

The time series was not easily available. There were two or three sessions of years for which James Dunbar had information. He may have had the information for Finland. However, the time series for each country is not easily available. If it is, I should love it to be sent to me.

The National Audit Office, in one of its most shoddy pieces of work—report No. 517 in 1988—began to talk about random breath testing. Its job is to examine Government Departments, not to interfere in ministerial decisions. The decision whether to have random breath testing is clearly a decision for Parliament and likely to be based on a ministerial recommendation to Parliament.

The National Audit Office also has a responsibility to consider the effectiveness, efficiency and economic operation of Departments. Irrespective of those three Es, in the 15 months before the National Audit Office reported we were dramatically successful at a lower cost to the taxpayer. In the 15 months before the Select Committee on Transport examined the permanent secretary at the Department of Transport, the number of drink-driving offences committed by young men under 30, appeared

from surveys to have fallen from 2 million occasions a week to 600,000. That was a reduction of two thirds in the incidence of that criminal and lethal activity.

That approach has clearly saved lives, reduced crime and has not relied on a police officer behind every lamp post. One would have expected the National Audit Office therefore to extend that principle into other areas of crime reduction where silly lives are not lost.

Sir Philip Goodhart: Does my hon. Friend accept that, during that period when there was a substantial improvement, there was an enormous increase in random stopping? Random stopping by the police is surely the key.

Mr. Bottomley: I was describing what I could call the ignorance area. I was learning about what to recommend to my right hon. and learned Friend the Secretary of State for Transport.

I pay tribute to my right hon. Friend the Member for Southend, West (Mr. Channon), the former Secretary of State for Transport, who was involved in many of the decisions and in whose name many press releases were issued. I hope that he will not mind if I share that credit with my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley), who was the first Secretary of State for Transport to endorse the message that people should not drink and drive at all. He moved away from the message "keep low".

The number of breath tests may have increased from 300,000 to 500,000. However, because of the white noise from the random breath test brigade, people do not consider the facts. Those facts are available in the road accident statistics and they are available in the transport and road research laboratory studies.

They do not reach the general public because the media will only allow the public to learn that people will not run the risk of being caught unless they are caught by a random breath test. If the 42 per cent. of people who are caught driving above the legal limit for drink-driving did not believe that they were likely to be caught, they were wrong.

If it were not so serious, it would be entertaining to hear someone explain that what matters is the perceived risk of being caught and not the real risk of being caught. The hon. Member for Kingston upon Hull, East (Mr. Prescott) referred indirectly on 10 December to someone being caught three times. Such a person must not rely on being caught—he must change his behaviour. I believe that the hon. Member for Kingston upon Hull, East should resign, but not because of his behaviour. We all make mistakes. I drove badly on the day of his court case and I did something that could have resulted in a loss of life. I do not argue that the hon. Gentleman did that. He should resign because the facts show that opting for random breath tests would cost 200 lives a year within two years. That rate over a decade would cost thousands of lives.

The Opposition's policy is wrong. If they were to offer suggestions which would work, I would support them. All the evidence is that random breath testing at best is a distraction, and at worst would cause more lives to be lost than could now be saved.

Ms. Ruddock: I hope that the hon. Gentleman will withdraw his remarks. It is unacceptable for him to suggest that my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) and I or any other hon. Member would table a new clause if we believed that it would result in the loss of 200 lives a year. We would not, and we have not, done that. The hon. Member for Eltham (Mr. Bottomley) has offered his personal opinion, but he has produced no evidence to support it.

Mr. Bottomley: The hon. Lady is plain wrong. I do not blame her, because she is not the boss. I am following the habit of her hon. Friend the Member for Kingston upon Hull, East, who is the boss. If we had introduced random breath testing in 1982, as New South Wales did, or in 1986 or 1988, or if we introduced it now and relied on it to reduce the rate at which people die in alcohol-related accidents, we might have achieved what New South Wales achieved. There would have been 50 per cent. more deaths as a result of drink driving then we now have.

Ms. Ruddock: It is not a question whether the boss is here or not. I made the speech and I will defend it. We have not suggested, as I made absolutely clear, that our proposals in the new clause for random breath testing are a substitute for measures which the Government are pursuing. Nor do we suggest that with hindsight it would have been a better alternative. We propose an additional measure that we believe will result in a further reduction in the number of drink-driving offences and so build on the good results of this country in that respect.

Mr. Bottomley: The hon. Lady is leading on to what really matters. If we believe that random checks, even under the method proposed in the new clause, will not add to detection of the crime, in the long term that will not be an effective deterrent. It will not achieve anything. It caused Alcohol Concern to write to hon. Members stating that 500 lives a year would be saved and that that figure is more than half the number of lives still being lost in alcohol-related crashes. That is not possible. A similar argument is made by Derek Rutherford, and it is led by people like the hon. Member for Kingston upon Hull, East and the hon. Member for Lewisham, Deptford (Ms. Ruddock). They are all wrong. In fields such as medicine or education, if people can be shown to be wrong, they keep quiet.

I want to consider what measures would actually work. First, the police around the country should follow the lead of what happens in Scotland, where police try to test every driver involved in a crash. That does not happen in most parts of England, and particularly not on Merseyside or in London.

If we are to have a change in the law, all drink-drivers as a condition of bail should be expected to surrender their licences until they attend court. There would then be no delay in facing the consequences of one's actions. We should also ensure that we try to discover where people got into a condition that is criminal and so often lethal. In that way, people would have to face up to their own responsibilities, instead of relying on the mystique or white magic of random breath testing.

We must make progress so that drink-drive deaths are so infrequent that, when one occurs, the Opposition spokesman on transport calls for the resignation of the Transport Minister. When I was Under-Secretary of State for Transport for three and a half years, the hon. Member for Kingston upon Hull, East did not once call for my resignation, even though 14 people a day were dying on our roads. He was not interested in that. He wanted the

glamour. The Opposition and my colleagues should agree on ways to make progress and to continue to reduce deaths on our roads.

Mr. Bidwell: The hon. Member for Eltham (Mr. Bottomley) has experience as a junior Transport Minister, but he said nothing to convince me that my Front-Bench colleagues are wrong.

Any additional activity should be pursued in the campaign to stop drinking and driving. As has been said earlier, people who drink and drive have a lethal weapon in their hands. That is enormously dangerous. Those people are careless. They are not all drunkards or alcoholics, although the number of alcoholics is increasing. Princess Di came to my constituency not too long ago to open an anti-alcohol clinic called Turning Point. The movement to combat alcoholism is increasing and has had to do so. People in a drunken state will be prone to take risks, a point that has not been raised so far.

7.30 pm

As many other hon. Members have said, the power of this new clause is that it must increase the deterrent. It is a matter of logic. We are asking the police to undertake an additional activity. I am glad that Labour Members have a free vote on the new clause, because that will allow my hon. Friend the Member for Bassetlaw (Mr. Ashton) to do, what his conscience guides him to do, so that he can go down to his working men's club and look those present in the face. However, I am considering the new clause in the broad range and asking myself whether it will decrease the possibility of drunken drivers killing other people. I think that it will.

I take on board what the hon. Member for Eltham said about the occasion when the former Member for Blackburn, who is now a Member of the other place, introduced the first breathalyser legislation. The hon. Gentleman implied that the pubs suddenly emptied. They did not. In my own constituency, racially prejudiced publicans who had previously refused to serve black and brown people, when faced with a sharp reduction in their custom, were glad to serve anybody, and welcomed everybody with open arms, even those wearing turbans. Those are the difficulties that we encountered in the early formative years of the legislation.

I have been breathalysed twice when driving from my surgery. The first time was some time ago, because I have now learnt my lesson. On that occasion, one of the councillors with whom I shared my surgery wanted to take me to the nearest pub to have a chat. He bought me a double whisky, which I do not normally drink, but as he was paying, I accepted it with open arms. Down the road we went, and I was pulled in near Southall police station. The policeman did not know me, but I do not think that he would have acted any differently if he had recognised me.

Fortunately, I was not over the top, but the experience frightened me. I did not want to be a companion of those other hon. Members who have been done under the breathalyser test and have then had to issue a public apology. Because I do not want to be put in that position and because that experience frightened me so much, I do not drink and drive nowadays. If any action to which the House can agree will push people in that direction, so much the better.

On the other occasion when I was breathalysed, I had had only a couple of cups of tea at a local Indian social, but I was pulled up in Hayes. I served in Committee on the Bill that introduced the existing regulations on deterrents. Of course, policemen always call one "Sir", and this young man said to me, "Well, sir, you were driving erratically." That was what had given him the suspicion that I might be drunk. I said, "I do not remember us including 'suspicion of driving erratically' in the legislation. I always drive erratically." That shows that breath testing used to happen on the basis of suspicion, but that we are now moving to the new idea of random breath testing.

I am sorry that the Government are not allowing their Members to vote according to their consciences. I do not agree with the suggestion that the new clause is an attempt by teetotallers to take it out on drinkers. I agree entirely that the new clause would be a step forward in the fight against drunken driving, and I wish it all success. I hope that Conservative Members who agree with my attitude to the new clause will join us in the Lobby and will say, "Throw this three-line Whip out of the window."

Mr. Conal Gregory (York): There cannot be any right hon. or hon. Member who at some stage has not lost a constituent or a constituent's child as a result of a drink-driving case. Alcohol contributes to an estimated one in 10 of all road traffic accidents in the United Kingdom. As we have heard, it causes over 800 deaths and a staggering 22,000 casualties each year. However, more than a quarter of male drivers and one in five female drivers believe that their blood alcohol concentration has exceeded the legal limit at some time in the previous year. It is true that inroads have been made into the problem of drink-driving during the past decade. I welcome the detailed speech by my hon. Friend the Member for Eltham (Mr. Bottomley) as part of that statistical debate, although that is about the point where my hon. Friend and I diverge.

Further deterrents are needed, of which the random breath testing that is proposed in the all-party new clause would be one, but only one, way forward. However, based on evidence from other countries, that deterrent should work. We should not dismiss such evidence out of hand.

In a recent survey, 42 per cent. of people who admitted to drinking and driving thought that they ran little risk of detection. As long as people think that they can get away with it, the penalties will not work. Stopping the offence is clearly better than punishment—and the police agree. Mr. Peter Joslin, the chairman of the traffic committee of the Association of Chief Police Officers, has said:

"A deterrence-based enforcement system is far more effective in reducing drink-drive fatalities than the traditional enforcement model."

At present, the police can require a breath test in three circumstances. As there seems to be a little confusion in the House about this matter, I shall reiterate those three circumstances clearly. First, the police can require a breath test when the driver is suspected of having alcohol in his or her body; secondly, when a moving traffic offence has been committed; and thirdly, when the driver has been involved in an accident. The police also have the general power to stop a vehicle at any time.

Mr. Gerald Howarth (Cannock and Burntwood): I thank my hon. Friend for giving way, because he has made precisely the point that the police have the general power to stop vehicles. Like the hon. Member for Ealing, Southall (Mr. Bidwell), I too have been stopped and

[Mr. Gerald Howarth]

breathalysed. It happened just before Christmas. When I stepped out of the car, the policeman said, "This is a routine check, sir." If that is not random stopping and effectively random breath testing, I do not know what is, because the policeman then asked me whether I had been drinking. I confirmed that I had, but thankfully I did not even register on the machine.

My hon. Friend the Member for York (Mr. Gregory) owes it to the House to make a much better case than he and the hon. Members supporting the new clause have done so far, because there are already sufficient powers. Indeed, when I told the policeman that the House was debating the point that very evening, he said, "Sir, we have enough powers as it is, but if you want to give us some more, that's fine by us."

Mr. Gregory: With respect, my hon. Friend jumped into the argument a little prematurely. The next time that he is stopped, he can refer to section 163 of the Road Traffic Act 1988. With respect, the correlation between that section and random breath testing seems to have escaped him. I did not go on to make that analogy; I merely referred to the occasions when a police officer in uniform can stop any person driving a vehicle. I have not yet gone on to extrapolate that argument in terms of random breath testing, but if my hon. Friend will bear with me for a little longer, I shall do so.

According to case law, the three circumstances to which I have referred may be combined. A police officer may stop any vehicle to establish suspicion that the driver has been drinking, after which the breath test may be required. The police argue that establishing grounds for suspicion before testing should be unnecessary and that they should have unrestricted powers to require a breath test.

The new clause provides for random breath testing at roadside checkpoints, and the regulations included in the new clause would permit roadside checks at which either all vehicles or a sample of vehicles could be stopped by a constable in uniform for the administration of breath tests. Roadside checkpoints would be authorised in writing and clearly signposted.

As a deterrent to drinking before driving, the great virtues of the new clause are its visibility and the fact that roadside testing could be encountered anywhere at any time, although there is no reason why testing should not be targeted. The Parliamentary Advisory Council for Transport Safety favours the new clause, as do many other experts and members of the public. In due course, I shall be interested to hear my hon. Friend the Minister for Roads and Traffic summon all the agencies and organisations at his command which oppose the view of PACTS. In an intervention, he referred to the Royal Automobile Club. The view of the RAC is ambiguous, as my hon. Friend should know from its press notice. I am sure that he has many other organisations at his command which support his argument.

Mr. Peter Bottomley: Will my hon. Friend give way?

Mr. Gregory: I am conscious of the time, but I will give way.

Mr. Bottomley: My hon. Friend has done a great deal of research into the matter. Will he confirm that all that PACTS and other organisations wish to achieve is legal under the present law? It is possible to have marked road checks and to test everyone except a driver who, after being stopped, is found not to have taken a drink, who has not been involved in an accident and who has not driven badly.

Mr. Gregory: Rather than considering exceptions, I am concerned to deter people. When enshrined in statute law, the new clause should be used not only to deter but to catch people. My hon. Friend constantly looks at the exceptions and perhaps introduces an element of the civil liberties argument, which I shall come to in a moment.

Experience abroad, notably in Scandinavia and in most of Australia, supports the case for the new clause. New South Wales has been referred to frequently tonight. Many in the Commonwealth Parliamentary Association must have visited New South Wales, judging by the number of hon. Members who seem to be aware of that fine state. In the first four years of random breath testing there, the average number of fatal or serious accidents related to alcohol fell by one third. That is a telling and practical argument which my hon. Friend the Minister should bear in mind.

One aspect has been referred to only obliquely. If there were ever any doubt about the new clause, it should be dispelled by this aspect. We are debating the measure as a motoring matter. If Department of Health Ministers and those responsible for budgeting for the health service were present tonight—they are not—they would be in favour of the amendment. The hospital and social security savings in New South Wales were over 20 times the initial cost of implementing the scheme. If the new clause does not find favour tonight—I hope that it will—such a measure might be included in the Finance Bill after the Budget on 19 March. The measure would certainly appeal to my right hon. Friend the Chancellor of the Exchequer and the Secretary of State for Health.

An argument which is sometimes used against random breath testing is that the rate of detection is low. Up to a point, that was the case made by my hon. Friend the Member for Eltham. However, no one suggests that random breath testing should be a substitute for existing procedures. It would be an additional weapon in the armoury of the police. Only in the completely impartial context of roadside checkpoints would the requirement for establishing suspicion be waived. The impartiality of random breath testing is a crucial aspect.

Mr. Michael Irvine (Ipswich): Will my hon. Friend give way?

Mr. Gregory: I must make progress. I am mindful of the time and the admonitions of the Chief Whip.

Over 77 per cent. of people interviewed in a Government survey last September praised the impartial aspect of random breath testing.

New clause 2 provides for the introduction of random breath testing. By that I mean that the police will be able to breath-test randomly selected samples of drivers without reasonable cause for suspicion at specially designated roadside checkpoints authorised by a senior police officer.

I stress that it would not give the police unfettered discretion to breath-test any driver anywhere at any time. It is an additional power, which provides an element of deterrence which is difficult to achieve under current procedures and which is so important for reducing road

deaths. I am convinced that there is substantial support among professional, public and parliamentary opinion for this change in the drink-driving law.

It is essential that the message from the House tonight is that drinking and driving do not mix. The power to deter that lethal concoction is with right hon. and hon. Members, and I urge them to accept this straightforward new clause.

7.45 pm

Sir Ian Lloyd: I wish to detain the House for a few minutes to discuss some important aspects of the new clause. The first is the matter of definitions. The definition of the word "random" is important. It is clear that some hon. Members are under the impression that the new clause asks for a power that would virtually give the police permission to stop anyone they chose at any time and any place. That is not my understanding of the term "random".

A random number generator, as any statistician would agree, produces random numbers by choice, by means of a computer or, more simply, by taking numbers out of a bag, as in a lottery. For example, if 150,000 establishments which sell alcohol, such as hotels, pubs, clubs and so on, were chosen by a random number generator and one was the House of Commons, the police would be obliged to carry out checks at the exit of the House.

Mr. Dennis Skinner (Bolsover): They would have a field day.

Sir Ian Lloyd: They might, but there might be other places, in the country where they would have an equally good field day. If it was established that every 10th, 20th or 50th car should be checked, and the 50th car going out of the gate was that of the Prime Minister, his car would have to be stopped under genuine random testing.

The second definition with which I wish to deal is the difference between drink-driving and drunken driving. For perfectly understandable reasons, many hon. Members use the two terms as if they were entirely interchangeable. Sometimes, they take the absolutist view that there should be no drink-driving when, effectively, they mean that there should be no drunken driving. The scale of the problem clearly defines the difference. I have already given all the figures to the House, and I shall not detain it by doing so again tonight, but a clear distinction must be made between a system with the legitimate objective, of catching the incompetent, dangerous, drunken driver—someone who is over the limit—and a system directed with vast resources at the rest of the driving community.

I state once again with all the force at my command that, in a free society, we cannot attempt to use motor vehicles—22 million of them—to enforce prohibition, which is what a zero limit would be. Even if there were no legal zero limit, the social idea expressed by my hon. Friend the Member for Eltham (Mr. Bottomley)—that whether or not it is a legal offence, it is a moral offence to take any drink and get into a motor car and drive—is an absolutist view. We could never achieve that objective in a free society.

As one gets nearer to the limit, so the processes of enforcement become more rigorous. I have argued before on the Floor of the House that, even if the death penalty were attached to drunken driving, in a free society there would still be those who would take the risk.

My main argument is based on an entirely different set of premises. The House—and, in a sense, the Government—continues to adhere to an old technology or set of institutions. I find that difficult to understand. We are always reluctant to say, "Here is a solution which we know could work and which, if it worked, would work perfectly." As I have shown in more ways than one, the technology is clear and is being applied elsewhere. One Opposition Member said that people should lose their jobs if convicted of drunken driving. I believe that in certain circumstances they should not lose their jobs.

In California, where there is considerable experience in the matter, the use of the breathalyser ignition lock enables a person who has been involved in a case of drink-driving which was not serious to be given a lesser sentence. It is not necessary for a driver to lose his or her job.

Some hon. Members may have seen an excellent programme some time ago on television; I think it was "Horizon". It dealt with traffic problems in Los Angeles and showed some of the ways being developed all over the world to deal with the problem of the motor car. One thing which struck me forcibly was that we saw eight or nine vehicles going along a motorway, completely under computer control, some with the driver in the back seat. We are not there yet. It may be 10 to 15 years before it will be illegal for anyone who is over the legal limit of alcohol consumption to take a car on to a motorway. The technology will exist to prevent accidents, and it will be safer and better than human judgment.

If we are serious, we may say that, by the year 2000, every motor vehicle shall be fitted with a breathalyser ignition lock. If that takes place, it will be impossible for anyone to drink and drive unless the driver cuts the wires, and that would be a serious offence. The technology might exist for a central register to show that he had done so.

Do we want to eliminate drunken driving, or do we not? If we want to bring it down to zero, that is the way to do it. If it is not the way to do it, I should like to see a better way. If that is the target that we must achieve, will we do so by using deterrence, which will involve vast police forces trying to achieve by random breath testing the final eliminator test? Do we do it in that way, or do we say, "Here is a technology which enables the human being to reconcile his wish to drive his motor car and also to drink up to the point where, if he is in the least dangerous, he cannot physically do so"?

If the limit of 80 mg is too high, we can bring it down to 50 mg. If 50 mg is too high, we can bring it down to 30 mg. If 30 mg is too high, we can bring it down to zero. But at every stage of the reduction, I believe that the case that I have made in my proposed new clauses for self-breathalysing and subsequently for the use of a breathalyser ignition lock becomes stronger and stronger. I ask the Minister to give us the Government's view on my proposals.

Mr. Allason: I should like to share with the House my experience of the breathalyser, both as a police officer who has administered it and as a motorist who has been breathalysed. During the period that I spent in the police, I was satisfied that I had the equivalent of the power proposed by the hon. Member for Lewisham, Deptford (Ms. Ruddock). When I was breathalysed shortly before Christmas two years ago, I had not been drinking. When asked by the police officer who stopped me on the Embankment whether I had had a drink, I denied it. He

[Mr. Allason]

nevertheless administered the breath test, which was negative. But examples surely show that we already have the power.

The hon. Lady gave two platforms for the new clause. The first was public pressure. I am reluctant ever to criticise the Labour party for adopting Conservative policies, but I urge it not to adopt the policy of proposing amendments like the new clause in order to be seen to be doing something, or to be responding to what is termed public pressure. The Government have made a habit of doing that. I point to the Firearms (Amendment) Act 1988 and to the Football Spectators Act 1989 as two classic examples of the Government misconceiving legislation and bringing it before the House.

The second plank of the hon. Lady's platform was the deterrent value—the likelihood of being caught. I entirely agree with her that the likelihood of being caught is indeed the principal element in deterring criminal activity. If we analyse what she is suggesting, it means greater police deployment in that sphere of activity. I interpret that as meaning greater interference with the operational decision-making which is the responsibility of chief police officers.

There is a hard core of persistent offenders, and the only way to change their behaviour is to change the culture and make it unacceptable to buy rounds for people who will later be driving.

It has been said that organisations such as the Consumers Association and the National Council for Civil Liberties support random testing. There is a belief that random testing is a panacea, but it is not. The police do not want such a power. They already have the powers that they need. I therefore urge the House to oppose the new clause.

Mr. John Browne (Winchester): I wish briefly to support the new clause. My hon. Friend the Member for York (Mr. Gregory) has spoken ably on it, and I agree with almost every word that he said.

Of course, to have legislation on random breath testing is a curb on individual freedom, but we already accept curbs on individual freedom. We have to drive on the left of the road, we have to wear safety belts, and we have to obey the highway code. Those are all curbs on individual freedom, but they are all designed for safety and that is the purpose of the new clause.

I listened carefully to my hon. Friend the Member for Torbay (Mr. Allason), who made a persuasive argument, but as a layman I still believe that the new clause would have a deterrent value, although the powers already exist. That value is enormous in relation to the human suffering of those involved, in relation to the human anguish of the relatives of those involved, and in relation to money for the national health service and the taxpayer. I believe that about £600 million per year is involved.

As a deterrent, the new clause would help to save lives. I support it, and I urge the House to do likewise. I urge my hon. Friend the Minister to reconsider his opposition to the new clause and to remember that we demand these standards of airline pilots, bus drivers and train drivers. I believe that we should bring in the new clause as a deterrent to drink-driving.

Mr. Ivan Lawrence (Burton): I support random breath testing, but not the nonsense of the new clause. I cannot think of any single way in which the police could more infuriate ordinary drivers than to have such a roadside test. Whenever I am stopped at a roadside checkpoint, I get infuriated. If we want to improve relations between the public and the police, the new clause is not the way to do it.

The kind of random breath testing that I favour is the kind that we already enjoy. I do not say that with any great pleasure. The fact is that police officers can stop the driver of a car and, whether they pretend or whether they have real justification for doing so, they can inflict a breath test upon anyone. The trouble is not that that is being done, but that the public do not perceive that there is a power of random breath testing.

We could fulfil a useful purpose if we made it clear to the public that there is random breath testing already, that it is already legal and that they had better watch out when they drink and drive, because they may be stopped and disqualified. That is the random breath testing which it is within my bounds to support as one who believes in the freedom of the individual.

8 pm

Mr. Chope: We have had a three-hour debate and I doubt whether anything that I could say would have much influence on the way in which hon. Members will vote. This has been a debate about random breath testing, although the better expression might be untargeted breath testing, because that is what the proponents of the new clause are arguing for. The House is united in its condemnation of those who drive with excess alcohol. Where there have been differences in the debate, they have been about the means to the end—of reducing the numbers who drink and drive and thereby the numbers who are killed and maimed as a result.

It is unworthy of those who support the new clause to accuse those who do not of being complacent or uncaring about road safety. The Government are proud of their record on road safety and, as the hon. Member for Bassetlaw (Mr. Ashton) pointed out, we have the best road safety record in the European Community.

Government policy on this issue has been arrived at after the most careful and rational analysis of the evidence and arguments. On 1 February 1989, my right hon. Friend the Member for Witney (Mr. Hurd), when Home Secretary, initiated the debate, in response to a request from the police, for more powers. References to the background to that were made during the debate, particularly by my right hon. Friend the Member for Southend, West (Mr. Channon).

As a result, there was public consultation. It emerged from that that there was much public ignorance about the extent of the powers that the police have. To clarify the position, on Tuesday 5 November 1989 the Attorney-General, in answer to a question from my hon. Friend the Member for Bolton, North-East (Mr. Thurnham), set out the legal position. It is not necessary for me to recite that again tonight.

That position ensures that the police have power to stop motorists whom they wish to stop and then to ask for a breath test of motorists whom they suspect of drinking, of being involved in accidents or of moving road traffic offences. The Government view is that the existing powers strike the right balance between the need for effective enforcement of the law and the freedom of the individual.

The arguments on the other side have been largely concerned with the issue of deterrence. I think that, in the end, perception and reality over time have a tendency to coincide. We saw in the examples from New South Wales, and earlier from France, that, as soon as there was a change in the law, people thought that a random test was just around the corner, and as a result there was a reduction in the incidence of drink driving. But that was only a temporary phenomenon. It is more important that there should be a change of attitude.

One can see the difference in connection with speeding. I do not think there has been a change yet in attitude towards speeding, and that is why, when one observes police vehicles going along a motorway, most people, if they are sensible, reduce their speed while in the vicinity of those police vehicles. But as soon as they have gone past, they increase their speed.

In connection with drink driving, we do not think that the incidence of a large number of road checkpoints would add significantly to deterrence. Indeed, Government policy is to use public progaganda advertising for the purposes and to try to create a public atmosphere in which drink driving is not tolerated.

The Legal and General Insurance Company, following a recent Gallup survey, found that 84 per cent. of people said that, as a result of Government advertising, they had been made to think twice about drinking and driving. That is a more cost-effective way of proceeding than spending £12 million a year in police time setting up road blocks at which probably fewer than one in 100 of the people tested would be found to have been a drink-driver.

Mr. Day: My hon. Friend seems to have overlooked the fact that, as a number of hon. Members pointed out, the exercise in New South Wales proved to be cost-effective.

Mr. Chope: I had not intended to mention New South Wales in detail. There is a code of guidance there, and my hon. Friend and others will be interested to know that as part of that code says:

"A random breath testing station is not to be established in the immediate vicinity of licensed premises."

I do not understand why that provision is included. Many people who support the principle of the new clause may be concerned when they analyse what might be contained in the controls that would be introduced under it.

This has been a high-quality debate. We had moments of passionate intensity and serious deliberation and we had expressions of brotherly love in the Labour party, as exemplified by the exchanges between the hon. Members for Bassetlaw and for Kingston upon Hull, East (Mr. Prescott). The latter called his honourable enemy a twit, which elicted the memorable response from the hon. Gentleman that he was speaking as a working-class Labour voter. On the evidence of tonight's debate, working-class Labour voters may be an endangered species, and we should place a preservation order on the hon. Member for Bassetlaw.

Mr. Ashton: I should put it on record that my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) apologised for losing his temper. I accepted his apology and we are now the best of friends.

Mr. Chope: On that happy note, I shall resume my seat.

Ms. Ruddock: I shall delay the House for only a few moments to respond to the debate on the new clause that stands in my name and the names of some of my hon. Friends.

I regret that the Minister concluded his remarks in the way he did, because this has been an extremely serious debate. We should concentrate our thoughts on the main issue involved, that of deaths and injuries. During the debate, a number of myths have been peddled by those who oppose the idea of random breath testing, and they have suggested that the powers to have random breath tests already exist. They do not. What is being used by some police forces in Britain is a combination of the power randomly to stop combined, with the power to test on suspicion. Those two powers have been combined by some chief police officers in a way that has not been authorised by the House and is a combination of powers that many other police forces have chosen not to use.

By tabling the new clause, we seek in no way to remove those powers from the police. We have no intention of trying to end targeted testing, of which we thoroughly approve and which has produced good results by reducing the number of drink-related accidents. We seek to add an additional power to permit truly randomised testing. That testing would be accountable. It would not distinguish between people—types, classes and so on—but would say, in effect, "If your car is passing a random test point and you are a chosen number, you will be stopped for a legitimate purpose," and that purpose would be to deter those who choose to break the law by drinking and driving.

This is not, as has been suggested, a response by my party designed to court popularity. I have called in aid the support of the general public. That supports our case, and we cite it because we are convinced that, if our proposal were introduced, it would have public support. So the public would understand what it was all about and would be willing to co-operate in its implementation.

I remind the House that 800 deaths per annum are involved in this argument. My hon. Friends and I believe that if we can do something to help reduce that number of deaths, we should do it. We are convinced of our case. There is room for improvement on all that has been done by the Government to date. For that reason alone, we urge support for the new clause.

Confident though we are of our case, we have allowed our Members a free vote. I hope, with hon. Members anxious to vote on the issue, that those on the Government Benches who support us will have the courage to follow their consciences.

Question put, That the clause be read a Second time:—

The House divided: Ayes 157, Noes 265.

Division No. 81] **[8.9 pm**

AYES

Adams, Mrs. Irene *(Paisley, N.)*	Benn, Rt Hon Tony
Allen, Graham	Benton, Joseph
Alton, David	Bermingham, Gerald
Archer, Rt Hon Peter	Bidwell, Sydney
Armstrong, Hilary	Biffen, Rt Hon John
Barnes, Harry *(Derbyshire NE)*	Boyes, Roland
Barnes, Mrs Rosie *(Greenwich)*	Bray, Dr Jeremy
Barron, Kevin	Brown, Ron *(Edinburgh Leith)*
Battle, John	Browne, John *(Winchester)*
Beckett, Margaret	Bruce, Ian *(Dorset South)*
Beggs, Roy	Caborn, Richard
Beith, A. J.	Callaghan, Jim
Bell, Stuart	Cartwright, John

Clarke, Tom *(Monklands W)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Day, Stephen
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas, Dick
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Galloway, George
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Gregory, Conal
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Howarth, George *(Knowsley N)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Jones, Ieuan *(Ynys Môn)*
Kilfedder, James
Kirkwood, Archy
Lamond, James
Lee, John *(Pendle)*
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Martin, Michael J. *(Springburn)*
Maxton, John
Michael, Alun
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Morgan, Rhodri
Morley, Elliot
Mudd, David
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Hara, Edward
O'Neill, Martin
Pendry, Tom
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Ross, William *(Londonderry E)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Spearing, Nigel
Stanley, Rt Hon Sir John
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thornton, Malcolm
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Maria Fyfe and
Dr. Lewis Moonie.

NOES

Aitken, Jonathan
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashton, Joe
Atkins, Robert
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'l's)*
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cunliffe, Lawrence
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Duffy, A. E. P.
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, John
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, Sir George
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Michie, Bill *(Sheffield Heeley)*
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*

Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Skinner, Dennis
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Turner, Dennis
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Williams, Rt Hon Alan
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Nicholas Baker.

Question accordingly negatived.

New clause 3

DESIGNATION OF PARKING CONTROL AUTHORITY

'After section 95 of the Road Traffic Regulations Act 1984 there shall be inserted—

"95A(1) The Secretary of State may in the circumstances specified in subsection (2) below and subject to subsection (5) below by Order designate any Metropolitan District Highway Authority in a Metropolitan County as a parking control authority.

(2) The Secretary of State shall make an Order under this section in respect of any metropolitan county area where—

(a) he has been requested to do so by all the Metropolitan District Highway Authorities in the relevant county; and

(b) he is satisfied that the designation in necessary having regard to—

(i) the level of unenforced contraventions of the law relating to stationary vehicles in the area concerned;

(ii) the transport policies of the authorities concerned; and

(iii) the effect of the level of unenforced contraventions on these policies.

(3) Before making an Order under this section the Secretary of State shall consult any Police Authority all or part of whose area comprises the metropolitan county concerned.

(4) Any Order made under this section shall—

(a) specify under which provisions of this Act regulations may be enforced by the parking control authorities in the Metropolitan County concerned;

(b) provide for the contravention of regulations made under those provisions to cease to be a criminal offence;

(c) specify the means by which the parking control authorities shall discharge their responsibilities under this section.

(5) No Order may be made under this section before 1st January 1994.".'.—*[Ms. Ruddock.]*

Brought up, and read the First time.

Ms. Ruddock: I beg to move, That the clause be read a Second time.

The effect of the new clause will be to allow the Secretary of State to designate metropolitan district councils as parking control authorities. He would have to be satisfied that designation was necessary because the level of unenforced parking contraventions in the area concerned was undermining local transport policies. The powers provided by the new clause would not be used until 1994.

The new clause is necessary because part II deals with parking enforcement exclusively in relation to London. The highways committee of the Association of Metropolitan Authorities is concerned, and the Opposition share that concern, that parking problems in the major urban areas outside London are increasing rapidly and that action is needed in relation to them as well as in the context of London. That view is shared by the AMA's public transport committee, which is concerned about the effect of illegal parking on the reliability of bus services.

The best detailed information on the problems of enforcement is from joint police and highway authority studies of parking enforcement in Sheffield and Rotherham, commissioned by the Home Office working party on parking enforcement.

In Sheffield, surveys were carried out in three areas, including 20 per cent. of the city centre. Agreed beats were patrolled between five and 10 times over two days. The surveys adopted the same five-minute loading rules as that adopted by traffic wardens. The Sheffield survey found that fewer than 1 per cent. of vehicles found parking on yellow lines in the city centre had been served with a parking ticket. It found 55 vehicles parked on yellow lines in a northern part of Sheffield and 49 in part of south Sheffield. None had been subject to enforcement action.

The Rotherham survey was carried out on a similar basis. In Rotherham town centre, 132 vehicles were found parked on yellow lines, only one of which had been the subject of enforcement. In the outer areas surveyed, 47 contraventions were spotted, but not one parking ticket was seen.

Those surveys show that only a minute proportion of vehicles found on yellow lines had been served with a parking ticket. In response to that finding, the police state that the contraventions found were often in side streets and had resulted in no major congestion or road safety problem. On that basis, they argue that the findings did not support the case for change outside London.

The AMA highways committee accepts that many of the contraventions found in the Sheffield and Rotherham studies did not result in major congestion or road safety

[Ms. Ruddock]

problems, but it does not accept that that in any way undermines the case for change. The fact is that the law is not being enforced.

It is particularly important to understand the police view and their objective, which is parking enforcement strictly in the narrow terms of maintaining the free flow of traffic. Yet parking is increasingly also being viewed as an important transport policy. The availability of parking space can be an important influence on a person's decision whether to travel by car or by public transport. The availability of additional free parking space—that is, unenforced parking on yellow lines—can seriously undermine broader transport policies designed to encourage greater use of public service vehicles.

It is also important to acknowledge that yellow lines are introduced for a range of reasons other than maintaining the free flow of traffic on main routes. Local traffic management and environmental considerations are often, and increasingly important. Those are local authority rather than police objectives, but the responsibility for allocating enforcement resources rests with the police.

Concern is not confined to south Yorkshire. For example, Manchester city council is currently lobbying for parking enforcement powers to be transferred to its authority. Its proposals are based on the important role that parking policies are likely to play in transport strategy designed to tackle that city's worsening problem of road congestion.

When the subject was discussed in Committee, the Minister rejected out of hand the case for change outside London. He said that the view of the Home Office working party was

"that the most pressing problems were in London. That is why we have brought forward proposals in the Bill to deal with the problems in London."

The Minister acknowledged that problems existed outside the capital, but maintained that they could be resolved by improved liaison between the police and highway authorities, but the Minister's remarks included a glimmer of hope for the future. He said:

"There is not sufficient evidence to warrant changing parking regimes outside London, but that will be reviewed in the light of the experience of the coming months and years in London."

We accept that the most pressing problems are in London, but that fact in itself is not a reason for not taking action in relation to other urban areas. The new clause is intended to meet most of the Minister's concerns.

First, the powers available in the clause could not be exercised until 1994. That is intended to enable trends in the other urban areas to be monitored, experience to be gained with the new arrangements in London, and discussions to take place between local highways and police authorities. If the new clause is accepted today, the legislation will be ready once those new steps have been taken.

The new clause is deliberately drawn in flexible terms. If the Secretary of State were allowed to determine by order the range of powers to be given to parking control authorities, he would be able to take on board the lessons learned in London.

In Committee, when debating the issue, the Minister further said:

"It is fair to say that local authorities sometimes abuse yellow lines by painting them on the road against the advice of the police. If the police advise against, it is hardly surprising that there is not much enforcement."—[*Official Report, Standing Committee G*, 5 February 1991; c. 324-29.]

That goes to the heart of the problem. Highway authorities introduce parking restrictions for a range of reasons—including, increasingly, support of broad transport objectives. Yet the enforcement of those restrictions—the decision, as the Minister suggests, whether they are enforced or not—is left to the police who, in relation to parking, have two important but narrow objectives—maintaining the free flow of traffic and protecting road safety on main routes.

The way ahead does not lie in the direction set by the Minister, who, in practice, has given the police carte blanche not to enforce restrictions with which they do not agree. The way forward involves vesting public policy making, regulation making and enforcement in one authority—the local highway authority.

The Minister's response also highlights a contradiction between the recognition now being given by his Department to the importance of parking to transport policy and his attitude to enforcement. The new clause attempts to address the issue head on by including as factors which Ministers must take into account when designating a parking control authority the transport policies of the areas concerned and the impact of the level of enforcement of those policies.

The Minister may well argue about the wording of the new clause, but that is not important at this stage of the Bill's process. What is important is that the Minister should acknowledge that parking enforcement is a problem in urban areas outside London; that it is likely that changes to the enforcement regime will be needed to tackle those problems in due course; that experience in London could provide valuable lessons for other areas; and that it would be sensible to take enabling powers in the Bill so that steps could be taken to tackle the problem outside London, as soon as the Department and the police accept the local authorities' case for change. That stage may not be reached in the immediate future, but it will almost certainly be reached before further parliamentary time is found for this important area of debate.

Mr. Chope: I cannot accept the amendment. As the hon. Member for Lewisham, Deptford (Ms. Ruddock) has explained, it is along similar lines to one that we discussed at considerable length in Committee. I said then that part II of the Bill had been brought forward largely in response to detailed consideration of the issues by a working party chaired by the Home Office during 1987 and 1988. Its report concluded that the problem was in London and that, although it is not true to say that there are no problems outside London, we should tackle the problems there first.

8.30 pm

In Committee, I said that it ought to be possible to arrive at a reasonable accommodation on appropriate levels of enforcement effort for traffic and parking controls in the provinces, given that the county is both the police and the highway authority. In many cases, that is what happens in practice.

As the hon. Lady reminded us, I also said that we would reconsider this matter in the light of experience. I am sure that my right hon. Friend the Home Secretary has a flexible attitude to the subject and that, if he were persuaded of the need to extend these powers outside

London, he would have no hesitation in introducing the necessary legislation. At this stage there is no case for proceding in that manner.

Ms. Ruddock: Does the Minister have any thoughts on how many years it will be before congestion problems in other major cities reach the stage that they have now reached in London? Does he believe that associated problems and the need to enforce parking restraints are relevant to that?

Mr. Chope: I cannot speculate. There is some significance in the fact that no authority outside London has requested the introduction of wheel clamping powers from the Secretary of State, which suggests that authorities have not yet exhausted the enforcement mechanisms available to them under existing powers. Authorities can also employ their own parking attendants to enforce excess charges at paid-for parking meters on the streets, and few authorities yet do so. Those authorities which are introducing new parking controls—whether with meters, parking vouchers, or pay-and-display schemes—find that they can help to achieve their traffic objectives, as well as yield a satisfactory financial return.

I am not sure whether there is a demand for the changes that the hon. Lady suggests. Even if we had sound evidence for extending our proposals beyond London, it is by no means certain that we would want to limit those powers to metropolitan districts in the way that the new clause does. Why should they be singled out? If the principle were agreed, it would be reasonable to consider extending the powers to the counties as well.

Ms. Ruddock: We limited powers to the metropolitan districts because we have received evidence that it is in those areas that the problem is perceived as being worse. That is the reason for the limitation in the new clause.

Mr. Chope: I hear what the hon. Lady says, but it is not necessary to repeat why the Government feel that the new clause should not be accepted. It does not mean that some of the powers that will soon be implemented in London may not be applicable to provincial areas at some stage in the future. We are not ruling that out, but it would be wrong to include the new clause in the Bill.

Question put and negatived.

New Clause 17

PROSECUTION AND PUNISHMENT OF OFFENDERS

'For Schedule 2 of the Road Traffic Act 1988 (Prosecution and Punishment of Offenders) Part 1 (Offences under the Road Traffic Act) RTA section 143, there shall be substituted:

(1) Provision creating offence	*(2) General nature of offence*	*(3) Mode of prosecution*	*(4) Punishment*	*(5) Disqualification*	*(6) Endorsement*	*(7) Penalty Points*
Offences under the Road Traffic Act 1988 (continued)						
RTA section 143	Using motor vehicle while uninsured or unsecured against third-party risks	(a) summarily	6 months or level 5	Discretionary	Obligatory	6-8
		(b) on indictment	12 months or a fine or both	Discretionary	Obligatory	8.'.

Brought up, and read the First time.

Mr. Gale: I beg to move, That the clause be read a Second time.

New clause 17 seeks to reintroduce a custodial sentence for driving while uninsured. This was thoroughly discussed in Committee and I do not want to detain the House long on the subject tonight. However, will my hon. Friend the Minister consider the great concern that has been expressed by the Magistrates Association, among others, about the inability to impose anything other than a fine for the free-standing offence of driving uninsured.

I am acutely aware that, in many cases, magistrates have powers to impose other sentences because driving uninsured occurs as an offence on its own on relatively rare occasions. However, there are slightly more than 200,000 convictions each year for driving uninsured, which leads me to believe that at any one time the number of people driving uninsured is somewhere in the region of 500,000. Apart from those involved in other offences—for example, theft of a car for use in a burglary or taking and driving away, which account for a number of cases—it is clear that there is a hard core of people who take a calculated risk. Rather like those who knowingly choose not to pay for a television licence, in the belief that they may get away with it, there is a hard core of people who decide, with malice aforethought, that in the long run it is cheaper not to pay for insurance. Clearly that is worrying. They may get away with it for quite a long time and, as things stand, they may save money.

Yesterday, the House carried the Criminal Justice Bill through its final stages. It provided for an increase in the level of fine to more than £2,000. I do not wish to pretend that that is not an improvement and that it is not likely to be some deterrent. However, the courts feel that there is a case for enabling them to impose a community service order on people who drive uninsured.

In 1974, the custodial sentence for this offence was abolished. That was first moved by the Conservative Government in the first half of 1974. The Bill was picked up and carried through by the Labour Government which was elected in 1974. The Bill faced fierce opposition in Committee but was carried on the Floor of the House. The sentence was abolished because the Government—it is fair to say that both sides of the House agreed—felt that the custodial sentence was, in most cases, too draconian, and I agree. When the House took that decision in 1974, the community service order was not on the statute book. As the House knows, community service orders depend on a custodial sentence. Magistrates would like the opportunity to impose community service orders, which they believe

[Mr. Gale]

would be more effective than a fine in some cases, because of the inconvenience caused to the person concerned. There is a feeling that fines are generally treated lightly and with some disdain. Only rarely does the bench—or, in the case of a trial on indictment, the court—find it necessary to impose a prison sentence. The problem is that the custodial sentence, which the House is trying to recommend less, in general, is the key to the community service order.

As I have said, I do not wish to be doctrinaire about the matter. The problem caused by those who drive without insurance is important. It would indeed have been highlighted in three new clauses tabled by my hon. Friend the Member for Ryedale (Mr. Greenway), which I had intended to move for him, but I am afraid that I let him down very badly. I sprinted along the corridor, but did not quite make it in time. My hon. Friend the Minister will remember, as I do, that there was unanimity on the issue in Committee, and I had the distinct impression at the time that my hon. Friend was not entirely opposed to the amendment that we discussed then.

I accept that what the House decides to do—I hope that it will decide to do something—must be in keeping with both the Criminal Justice Bill, which we passed last night and which is now in the other place, and the other sentencing proposals in this Bill. I know that my hon. Friend has already considered the matter carefully, but I ask him to continue to do so, and, if necessary, to tell me that he is prepared to table an amendment in another place if it is felt that my proposals are too draconian or out of keeping with the general context of both the Criminal Justice Bill and the Road Traffic Bill.

Mr. Allason: Driving without insurance is a serious offence: anyone without insurance causing an accident involving injury will ensure that the victim is not compensated. Not many people know that the Motor Insurers Bureau exists to compensate those involved with another vehicle so that their own vehicle can be repaired. The new clause has a deterrent value; another deterrent would be provided by the adoption of a disc along the lines of the road fund licence disc, which, if displayed in the car, would prove that the driver was insured. It is astonishing that anyone can buy a vehicle in this country without having to provide proof of an insurance policy. The only occasion when that needs to be done is when a vehicle needs to be retaxed: as we know from bitter experience, few people renew their road fund licences.

I urge the Government to accept the new clause.

Mr. Chope: My hon. Friend the Member for Thanet, North (Mr. Gale) should not feel too concerned about his inability to be present for the new clauses tabled by my hon. Friend the Member for Ryedale (Mr. Greenway). I would certainly have been prepared to consider the first seriously, in the light of what I knew that he wanted to say, although the second would have caused more difficulty.

Driving without insurance is a serious offence, and hon. Members on both sides of the Committee supported the principle that it should be dealt with as such by the magistrates court. The new clause would make the offence triable on indictment, because a maximum penalty of six months' imprisonment would be involved: if the sentence were limited to three months, it would be triable only in the magistrates court.

I believe that my hon. Friend has had the opportunity to discuss the matter with our right hon. Friend the Minister of State, Home Office, who is ultimately responsible for deciding on matters relating to imprisonment and on the maximum penalties. I know that my right hon. Friend is willing to discuss the issue with the Magistrates Association, on whose behalf my hon. Friend and others have spoken: indeed, it is because of the magistrates' interest in the issue that we are discussing it today.

8.45 pm

I know that my right hon. Friend is also willing to consider the possibility of increasing the maximum financial penalty even further, to the maximum penalty that the magistrates are empowered to impose. That would not deal with my hon. Friend's anxiety about the magistrates' ability to impose community service orders; it would, however, show the extent of the Government's concern about the offence of driving without insurance.

In the seven years between 1975 and 1982, the number of such offences increased by 60,000; in the seven-year period between 1982 and 1989, it increased by only about 17,000. The rate of increase is slowing, at a time when the number of private cars on the road has increased by some 30 per cent. and the number of road traffic offences has increased by 38 per cent. My hon. Friend is right in saying that, in many cases, driving without insurance was not the most serious offence—other offences were involved, such as taking a motor vehicle without authority, which used to be called taking and driving away—but in 1989 it was the most serious offence to be tried by the courts in about 127,000 cases.

Disqualification clearly protects the public from uninsured drivers by removing them from the roads, and, given the level of penalty points, it will not be difficult to reach the stage of disqualification under the totting-up procedures. I think, however, that it would be wrong to base sentencing purely on the deterrent effect. Experience and evidence suggests that that is not always the most important issue, and that is why the approach of the Home Office is to base sentencing on the gravity of the offence. I hope that my hon. Friend appreciates that the Government take the matter seriously and are willing to keep it under review, and that my right hon. Friend will be able to meet the Magistrates Association.

My hon. Friend the Member for Torbay (Mr. Allason) raised an issue that has been raised many times in the past: the desirability of insurance certificates being displayed on windscreens. That happens in some other countries, but we see severe practical problems in the practice, which would need the co-operation of the insurance companies and a specified period for the duration of the certificate. We consider that the present system of an annual or, in some cases, six-monthly road fund licence renewal—to qualify for which a driver must show his insurance certificate and, if the age of the vehicle makes that appropriate, his MOT certificate—is sufficient.

One of the biggest problems is that, in this country, a single insurance certificate can cover more than one driver and more than one vehicle. In France, insurance has traditionally been based on a single driver and a single

vehicle. Clearly, it would be much easier to have one certificate which would appear on the windscreen of the vehicle covered by the insurance.

I assure my hon. Friend that we shall continue to keep the matter under review. I hope that he will feel able to withdraw the motion.

Mr. Gale: I thank my hon. Friend for his generous understanding of the fact that hon. Members sometimes have to be in three places at once and for the undertaking that he has given, although not forced to do so. I hope that the matter can be dealt with in the other place. I warmly appreciate the time that my right hon. Friend the Minister of State, Home Office gave me today and for his undertaking to meet the Magistrates Association to discuss the matter.

Clearly, the new clause would have ramifications that I did not wholly appreciate when I first tabled it, not least in terms of the general sentencing in context. I hope that the new clause will at least have shed some light on matters that require further discussion—I would not say, opened a can of worms. I hope that it will be possible to reconsider the matter in the other place. With that proviso, and with many thanks to my hon. Friend the Minister, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 19

PROHIBITION OF MOTOR VEHICLES ON BYWAYS

'Before section 35 of the Road Traffic Act 1988 there shall be inserted—

"Prohibition of motor vehicles on byways

34a(1) Subject to the provisions of this section, if without lawful authority a person drives a motor vehicle on any byway he is guilty of an offence.

(2) A person shall not be convicted of an offence under this section if he proves to the satisfaction of the court that the motor vehicle was driven in contravention of subsection (1) above for the purpose of saving life or extinguishing fire or meeting any other like emergency.

(3) In this section 'lawful authority' does not include the exercise of a public right of way over a byway except where—

(a) the right of way is being exercised in connection with agricultural or forestry operations; or

(b) the exercise of the right of way has been authorised by an order under subsection (4) below.

(4) A local authority may, by order, grant authorisation for the use of motor vehicles on a byway in its area, and such authorisation may provide for use to be restricted to named persons, to a class of vehicle or to specified times.

(5) In this section—

'byways' means a highway over which the public have a right of way for vehicular and all other kinds of traffic; but which is used by the public mainly for the purpose for which footpaths and bridleways are so used;

'local authority' has the same meaning as in section 33 above.".'.

Brought up, and read the First time.

Mr. Chris Smith (Islington, South and Finsbury): I beg to move, That the clause be read a Second time.

The clause arises from the concern expressed by many people—the Ramblers Association in particular—about the damage that can be done to footpaths by driving of motor vehicles upon them. The problem is becoming increasingly serious. Our byways—the green lanes in the Pennines, the ridgeways in the downlands and public footpaths throughout the country—are being seriously damaged and churned up, often by joy riders.

The problem needs to be tackled. The new clause makes it clear that we would not in any way want to inhibit access for emergency vehicles or for genuine and legitimate farming and forestry purposes, but we must do everything we can to protect our byways, many of which are in glorious parts of our landscape and offer unparalled opportunities for recreation to many thousands of people. It is incumbent on us to do what we can to ensure that they are protected. The new clause seeks to do precisely that, and I hope that the Government will respond positively to it.

Mr. Simon Hughes (Southwark and Bermondsey): I hope that the Government will be sympathetic to this well-motivated and necessary new clause.

Mr. Chope: I am sorry to have to disappoint the hon. Members for Islington, South and Finsbury (Mr. Smith) and for Southwark and Bermondsey (Mr. Hughes).

The law already makes adequate provision for the matters to which the hon. Gentlemen referred. Highway authorities are obliged under the Wildlife and Countryside Act 1981 to hold "definitive maps". These are open to inspection by the public and they record the status of routes in the locality. Routes presently shown as "road used as public paths" may be reclassified as footpaths or bridleways where there is no evidence of established vehicular rights. Where there are established vehicular rights, the routes must be shown as "byways open to all traffic". The definition is found in section 127 of the Road Traffic Regulation Act 1984 and is one used in the new clause. Such a byway conveys a public right of way for vehicles, as the definition itself expressly states. That is how the law stands at present, and we believe that the procedures are satisfactory.

The new clause seeks to extinguish vehicular rights on byways open to all traffic, with exceptions only for emergencies and in respect of rights of way exercised in connection with agricultural or forestry operations and so on. "Procedure" is probably a misnomer for what is provided by the new clause, which simply gives a summary power to the local authority to grant "authorisations". The new clause is silent about the criteria against which these would be given, and the procedures to be followed. It represents an extraordinary withdrawal of long-established rights of way and would be extremely controversial were the House to accept it and incorporate it in law.

Mr. Fearn: Does the Minister agree that most local authorities do not have definitive maps? Many give the excuse that they do not have the time or the staff to produce them. Apparently, the Minister requires such maps to be produced. How long will authorities have to produce them? I am thinking in particular of my own authority, Sefton. With my support, the ramblers have been asking for a definitive map for the past five or six years, and it has still not been done. Is there a time limit?

Mr. Chope: I am not aware that there is a time limit. We are talking about an Act of Parliament passed in 1981. I should certainly hope that local authorities are making some progress towards the establishment of definitive maps, as they are under an obligation to do just that. I shall look into the matter and ascertain whether authorities have until the millennium—or until the next millennium—to produce the maps, or whether they are under an obligation to do so sooner. Obviously, they

[Mr. Chope]

should be brought under some local political pressure, particularly in the light of concern about the unsuitable vehicular use of ancient byways.

In many cases, it should be possible to establish voluntary management arrangements, which would limit use by, for example, trail bikes or off-road vehicles. Representative bodies have sought to promote responsible use by bikers and four-wheel-drive users. That is a reasonable way in which to deal with the problem.

Mr. Chris Smith: I fear that the Minister's response is, indeed, disappointing. He places too much reliance on the possibility of voluntary management agreements, which do not always work and which are not always possible. He has failed to recognise the problem identified by the hon. Member for Southport (Mr. Fearn)—the absence in a number of local authority areas of the definitive maps to which he devoted so much attention. He has also ignored the fact that there is undoubtedly a failure of enforcement even where definitive maps exist and the fact that, in some places—the green lanes are a classic case in point—where the supposed long-standing rights of vehicular access apply, there is none the less a serious problem with the destruction of our countryside heritage. The issue requires more attention and less complacency from the Government.

Of course I accept that the new clause, in setting out its objectives, is far from perfect. For example, it does not lay down criteria for the local authority concerned. That being the case, it probably would not be sensible to press it to a vote. However, I hope that the Government have noted that among hon. Members there is considerable concern about this matter. We shall certainly wish to return to it in due course.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 3

CAUSING DEATH BY CARELESS DRIVING WHEN UNDER THE INFLUENCE OF DRINK OR DRUGS.

9 pm

Mr. Chope: I beg to move, amendment No. 27, in page 2, line 33, leave out from beginning to end of line 36 and insert—

'(c) he is, within 18 hours after that time, required to provide a specimen in pursuance of section 7 of this Act but without reasonable excuse fails to provide it,'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to discuss Government amendments Nos. 28, 29 and 30.

Mr. Chope: These amendments deal with a technical but important point relating to the refusal to provide a specimen where the new "causing death" offence is alleged. It is important that there be no built-in incentive to refuse a specimen in drink-drive cases, but there is also a need to have a proper safeguard. This amendment incorporates a safeguard—that a person who has refused to provide a specimen more than 18 hours after the incident to which it related would not be able to be convicted of failing to provide a specimen. The time limit is 18 hours: although obviously not exact, it is a proxy for a maximum period during which a person whose level was more than three times over the limit would probably have his blood alcohol level reduced to within the limit.

Amendment agreed to.

Amendments made: No. 28, in page 2, line 37, leave out from beginning to 'he'.

No. 29, in page 2, line 39, leave out from beginning to end of line 48.

No. 30, in page 3, line 4, leave out from beginning to 'above' and insert 'Subsection (1)(b) and (c)'.—*[Mr. Chope.]*

Clause 5

CAUSING DANGER TO ROAD-USERS

Mr. Chope: I beg to move amendment No. 31, in page 3, line 33, leave out from beginning to end of line 37 and insert

'(a) anything lawfully placed on or near a road by a highway authority;

(b) a traffic sign lawfully placed on or near a road by a person other than a highway authority;'

This amendment arises out of concern, expressed during the debate on clause 5, that the new offence did not adequately cater for traffic equipment placed by anyone other than a highway authority. I explained then that the clause as drafted already catered for equipment placed by contractors working on behalf of a highway authority, but did not go far enough.

The intention of the amendment is therefore to provide a new definition of "traffic equipment" for this purpose. It will extend the application of the new offence to interference with all traffic signs and safety equipment put up by undertakers executing street works in accordance with the requirements imposed by the Public Utilities Street Works Act 1950 or which will be imposed under the new roads and street works legislation. I hope that it will be helpful.

Amendment agreed to.

Clause 18

INFORMATION AS TO IDENTITY OF DRIVER ETC.

The Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I beg to move amendment No. 73, in page 14, line 14, after 'corporate', insert

', or in Scotland a partnership or an unincorporated association,'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 74 and 36.

Lord James Douglas-Hamilton: Amendments Nos. 73 and 74 correct an omission in clause 18. Where a body corporate is charged with an offence under section 172 of the Road Traffic Offenders Act 1988—failing to provide information as to the identity of the driver at the time of an alleged offence—it can only benefit from the "due diligence" defence if it can show that no record was kept of drivers using the vehicle and that the failure to keep a record was reasonable. The amendments will make certain that the same qualification will apply in the case of offences by Scottish partnerships and unincorporated associations.

Amendment No. 36 responds to concerns expressed in Committee. It deals with the offence of failing to provide information about the driver of a vehicle, particularly a vehicle involved in an offence detected by the use of camera technology. There is already an obligation on a registered keeper, when required by the police, to give such information as he is able about the identity of a driver who may have committed a road traffic offence. Obviously, this is particularly important for camera-detected offences, where the camera will have recorded the vehicle's registration plate but not the driver.

If these provisions are to work, there must be no built-in incentive for the registered keeper to withhold information when he may himself be the driver, so the offence of failing to provide information must be treated with the same level of seriousness as the offence about which information is sought. Companies should have the same responsibility to provide information as a private individual, and it is right that a director or other officer who has connived at failing to provide information or who is negligent should share in that responsibility. There will be a defence that a company could not ascertain who the driver of the vehicle was at a particular time, if it can be demonstrated that failure to keep a record was reasonable. I do not, therefore, believe that companies should be absolved of responsibility.

A point was raised in committee by a number of hon. Members—in particular, by my hon. Friend the Member for Keighley (Mr. Waller), in whose name the amendments were tabled, and my hon. Friend the Member for Birmingham, Northfield (Mr. King). We are persuaded that it is not necessarily appropriate for the penalty to include the endorsement of penalty points on a licence where the offence is committed by a company and its officers. The connection with the driving of the particular company vehicles involved in the offence is remote, and too much would turn on whether the relevant director held a driving licence. In such circumstances, I am sure it is right to rely on a financial penalty. Hence, the amendment removes endorsement and discretionary disqualification from the penalty in these cases—and meets the point that was made in Committee.

For the sake of consistency, it also removes endorsement and discretionary disqualification in cases which may arise in Scotland where a partner in a partnership or an officer of an unincorporated association is prosecuted for an offence committed by the partnership of association.

I commend these three amendments to the House.

Amendment agreed to.

Amendment made: No. 74, in page 14, line 16 after first 'above', insert 'or subsection (11) below'.—*[Lord James Douglas-Hamilton.]*

Clause 26

Disqualification for certain offences

Amendment made: No. 32, in page 23, line 40 at end add 'or section 223A or 436A of the Criminal Procedure (Scotland) Act 1975'.—*[Lord James Douglas-Hamilton.]*

Clause 31

Conditional offer of fixed penalty

Lord James Douglas-Hamilton: I beg to move amendment No. 75, in page 30, line 13 after 'Where', insert 'in England and Wales'.

Mr. Speaker: With this, it will be convenient to consider Government amendments Nos. 76 to 87 and 97 to 101.

Lord James Douglas-Hamilton: The amendment empowers the police to issue conditional offers of fixed penalty to a majority of those that they would otherwise have reported to the fiscal for committing a fixed penalty offence. The power can be used either at the roadside or, if detected by unmanned equipment, by later sending the offer by post. At present, the police have no power to issue fixed penalty notices at the roadside for traffic offences committed in moving vehicles or in those that attract the endorsement. The police have pressed to have such a power for some time, as they see it as conducive to improved road traffic enforcement.

We have had extensive consultations with interested bodies and have concluded that the enforcement of road traffic offences, such as speeding, could effectively be carried out by the police using broadly the system of conditional offer fixed penalties proposed in clause 31. If the amendment is made, the police will no longer have to make routine reports on such offences as speeding to the fiscal except in cases where a conditional offer was not taken up. There will therefore be a considerable saving of time for the police and fiscals.

I commend the amendment as a useful streamlining of present procedures with a potential contribution to policing enforcement and hence road safety in Scotland.

Amendment agreed to.

Amendments made: No. 76, in page 30, line 14, leave out ', or in Scotland a procurator fiscal,'.

No. 77, in page 30, line 21, leave out from 'police' to end of line 39 and insert—

'(2) Where in Scotland a procurator fiscal receives a report that—

(a) an offence specified in Schedule 3 to this Act has been committed,

(b) an offence specified in Schedule 5 to this Act has been committed,

(c) an offence referrred to in paragraph (a) or (b) above has been committed, being an offence of causing or permitting a vehicle to be used by another person in contravention of any provision made or any restriction or prohibition imposed by or under any enactment, or

(d) an offence of aiding, abetting, counselling, procuring or inciting the commission of an offence referred to in this subsection has been committed.'.

No. 78, in page 30, line 41, at end insert—

'(3) Where in Scotland, a constable—

(a) on any occasion has reason to believe that a person he finds is committing or has on that occasion committed a fixed penalty offence, he may hand to that person,

(b) in any case has reason to believe that a fixed penalty offence has been committed, he or another person authorised in that respect by the chief constable may send to the alleged offender,

a notice under this section.

(4) Subsections (2) and (3) above shall not apply where a fixed penalty notice has been fixed to a vehicle under section 62 of this Act.'.

No. 79, in page 31, line 48, leave out '(a)' and insert '(b)'.

[Lord James Douglas-Hamilton]

No. 80, in page 32, line 14, after 'until' insert—

'(a) in England and Wales,'.

No. 81, in page 32, line 14, after 'or', insert '(b)'.

No. 82, in page 32, line 15, after 'fiscal' insert

'or (where the conditional offer was issued under section 75(3) of this Act) the chief constable'.

No. 83, in page 32, line 34, leave out from 'the' to end of line 36 and insert

'person referred to in subsection (2)(a) or (b) above'.

No. 84, in page 32, line 42, leave out from second 'the' to end of line 43 and insert

'person referred to in subsection (2)(a) or (b) above'.

No. 85, in page 33, line 8, at end insert—

'(9) In Scotland, the Secretary of State may by regulations vary the provisions of subsection (2)(b) above.'.

No. 86, in page 33, line 18, leave out from 'the' to 'under' in line 20 and insert

'person referred to in section 76(2)(a) or (b) of this Act'.

No. 87, in page 33, line 40, leave out from 'the' to 'that' in line 42 and insert

'person referred to in section 76(2)(a) or (b) of this Act'.—*[Lord James Douglas-Hamilton.]*

Clause 34

Disqualification where vehicle used for assault

Amendment made: No. 33, in page 36, line 5, after "convicted', insert

'by or before any court".—*[Lord James Douglas-Hamilton.]*

Clause 35

Disqualification in Scotland where vehicle used to commit offence

Amendments made: No. 88, in page 36, line 30, at end insert 'and its counterpart'.

No. 89, in page 36, line 35, at end insert—

'(4) In relation to licences which came into force before 1st June 1990, the reference in subsection (2) above to the counterpart of a licence shall be disregarded.'—*[Lord James Douglas-Hamilton.]*

Clause 36

Power to install equipment for detection of traffic offences

Mr. Robert Adley (Christchurch): I beg to move amendment No. 54, in page 36, line 40, at end insert—

'(2) A highway authority may, in consultation with the Secretary of State for Transport for time to time require specified types of public service vehicles operating in its area to be fitted with equipment detectable by said highway authority.'.

I am grateful for the opportunity to move the amendment. As one of my hon. Friends said a moment ago, events have moved rather fast and the television monitor where I was sitting packed up—it was probably totally confused by the speed at which we are proceeding.

My hon. Friend the Minister mentioned unmanned equipment, and that is what the amendment refers to. It is clear to everyone that the police are severely overstretched in trying to cope with London's traffic problems. It is equally clear that certain vehicles, particularly coaches—the amendment refers to public service vehicles—have so multiplied the amount of work placed on the shoulders of the Metropolitan police that my hon. Friends who have been dealing with the Bill are right to refer to the need to utilise more unmanned equipment.

I should like the amendment to be inserted in the Bill in an attempt to use such equipment to deal with the illegal parking of, and use of unsuitable roads by, public service vehicles, particularly coaches. Since coach deregulation, the problem has become almost out of hand. The deregulation legislation, possibly inadvertently, removed from London local authorities both the right and the duty to designate coach routes. I included public service vehicles in the amendment because I wanted to differentiate between coaches and buses. London buses serve Londoners, but coaches serve commuters and tourists. It is not London's buses that cause the problem, but incoming commuter and tourist coaches.

In support of the amendment, I shall give two brief quotations. The first is a letter from the deputy assistant commissioner of the central district, Mr. Innes, who wrote to me as long ago as 15 January 1987. That is a sign of how long some of us have been trying to raise such problems. He said:

"You will be aware that in the Central Area problems with coaches are quite horrendous. We have to balance the proper desires of the tourist boards to attract visitors to London alongside the vastly increased use of coaches for commuting purposes, all in streets designed for horses and carts."

It is wrong for the House to pass legislation that puts huge burdens, with which they are virtually unable to cope, on the Metropolitan police.

More recently, on 14 February 1989, Mr. Brand, the chief inspector of operations for the Metropolitan police at Kensington police station, wrote about the problem of coaches parking on roads where they had no right to be. The anomaly has arisen that, under the Transport Act 1985, coaches that travel more than 15 miles appear to be exempt from many of the existing parking and stopping regulations. Mr. Brand said:

"Many of the tours do not require licensing under the 1985 Transport Act as these travel further than 15 miles. However, the regulations permit coaches to wait in any restricted street for as long as necessary to pick up and set down passengers or load and unload baggage."

We know perfectly well what goes on with the commuter coaches: they clog up the main arterial roads in the rush hour and often drive around for hours on end trying to kill time in order to find themselves at the right place at the right time. That often means that they park illegally while waiting to pick up people to take them home in the rush hour on over-congested roads.

In the absence of an unlimited number of policemen to watch virtually every coach operator in London, we shall have to turn to unmanned equipment. That equipment could also be used to deal with the increasingly serious problem of pollution caused by coaches, particularly in parts of the capital such as the area around Victoria coach station. I presume that it is possible to devise equipment that can register given levels of pollution from diesel fumes and, if necessary, set off an alarm.

The purpose of my amendment is to force coach firms to fit such equipment in their vehicles so that, when they park in and use roads that are not designed for them, and cause unnecessary pollution, as they do at present, the equipment will be activated. That would make the job of the police a great deal simpler.

I hope that my hon. Friend will see fit to give a fair wind to my proposal.

Mr. Simon Hughes: Like the hon. Member for Christchurch (Mr. Adley), I was caught unawares by the rapid progress of this piece of transport legislation. This is an opportunity to address the problem that coaches pose to those of us who live and work in London, and to many people who come to London on public transport and end up touring London on foot.

Many of the major roads, and some of the smaller ones, are substantially blocked for long periods by coaches attempting to park, having off-loaded their passengers or, as the hon. Member for Christchurch suggested, driving around for no particular purpose—hardly an environmentally friendly activity. We must find ways to control that form of activity.

It has always struck me that the real red routes in London should be either the bus routes or the tube routes. They should be kept free for people to move quickly along them. The underground system should be designated a priority route and allowed to move speedily. The recent adverts on the backs of buses have been effective in getting the message across to those driving behind them. They call for people not to block the arteries of London by parking in bus lanes. If bus lanes and the underground system were red routes, we should have a public transport system and mobility around the capital that we do not currently have.

9.15 pm

I do not know whether the technicalities of the amendment are easily achievable, but I am sure that where there's a will, there's a way. There must be a mechanical way of identifying where vehicles are. In the days of the Greater London council, heavy goods vehicles were required to have a permit to come into central London. That was one way of designating the limited number of vehicles which pass a particular test and of monitoring it. It would be a good idea—and probably an inevitable one—to control the number of vehicles coming into London. If we do not do that sooner, we shall do it later. One category of vehicle which needs to be controlled is that of coaches, but there are others not covered by the amendment. They are not public service vehicles, but goods vehicles. They too will need to be controlled, and various ideas about how to do that are now gaining support.

I hope that the Minister will be sympathetic to the idea that we need to tackle the growing congestion caused by coaches in London. The most modern technology could be deployed to do that. I am aware that the Government increasingly propose the use of modern technology for monitoring which types of vehicles take which routes and for enabling people to identify congestion on the roads ahead so that they can make alternative arrangements. If people are increasingly able to monitor which routes are free flowing and which are blocked, it must be possible to do something similar to what is proposed in the amendment. I hope that the Government will be sympathetic to the general idea, if not to the specific proposal.

Mr. Chope: I shall address my remarks specifically to the amendment. I invite the House to reject it, although I hope that my hon. Friend the Member for Christchurch (Mr. Adley) will withdraw it, because it is unnecessary.

The highway authorities already have sufficient powers under the Road Traffic Regulation Act 1984 to restrict or prohibit the movement of vehicles on their roads, including restricting the use of public service vehicles.

Mr. Adley: Is my hon. Friend the Minister aware that my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) and my hon. Friend the Member for Westminster, North (Sir J. Wheeler) and I met the last Secretary of State for Transport but two, more than three years ago to discuss these problems? He tended to say the same thing as the Minister. Westminster council has so far taken three years—it is not the councils fault—to draft the necessary orders and to obtain the Department's approval. The Minister was quick to give Westminster council the approval, but it has involved the local authority in a monumental amount of work and will involve it and its community charge payers in considerable expense. Theoretically, the Minister may be right in theoretical terms, but so far as I am aware, none of the London boroughs regards the matter as remotely as easy as he is trying to make out.

Mr. Chope: I am not underestimating the difficulties that local authorities may have. My hon. Friend the Member for Christchurch referred to the expense to Westminster city council. Despite that expense, it has been able to set a reduced community charge for the coming year, and it must be congratulated on that. I understand that considerable effort is being made to try to achieve a voluntary agreement between coach operators and the local authorities. I am sure that my earlier announcement about extending the permitted parking powers and the parking regime so that local authorities have a greater say in the use of the roads for which they have responsibility—this will be relevant to the parking of coaches as well as to the use of coaches on the roads—will help to deal with the problem. I know that my hon. Friend the Member for Christchurch would probably prefer that there were no coaches in London, but they form about 2 per cent. of the traffic in London and provide a valuable service.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) made a point about bus lanes. The red routes will facilitate the freer movement of traffic. We hope that one of the main responsibilities of the traffic director will be to facilitate the speedier movement of buses. That has been the early experience in the Archway pilot scheme.

I hope that my hon. Friend the Member for Christchurch will accept that powers already exist. I have heard what he has said about the difficulties and technicalities of making the necessary regulations, but it has always been the policy of the Government and of the more enlightened local authorities that where there's a will, there's a way.

Mr. Adley: It would be unfair to detain the House longer on the amendment. It took me three years to persuade one of my hon. Friend the Minister's predecessors to invite the Chancellor to raise the road fund licence fee for coaches. I am sure that it will take a long time to overcome the damage done by coach deregulation. As Mr. David Weekes, chairman of the Westminster planning committee, said:

"Deregulation had left the Traffic Commissioners with greatly reduced powers."

The problem is greater than my hon. Friend the Minister is willing to admit, and sooner or later we shall have to deal

[Mr. Adley]

with it. I am sorry that my hon. Friend does not see fit to accept what I thought was a fairly straightforward enabling amendment which I shall, of course, withdraw, although sooner or later we shall have to return to this matter.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 41

DESIGNATION OF PRIORITY ROUTES

Ms. Ruddock: I beg to move amendment No. 12, in page 38, line 9, leave out 'traffic' and insert 'people and goods'.

Clause 41 sets out the overriding objective for priority routes, or red routes as they are unpopularly called. The overriding objective is

"improving the movement of traffic."

Although the objective for the priority route network are set out later in the Bill—primarily in clause 42—any conflict or weighting needed between objectives will have to be set in the context of the overriding aim.

Several amendments were tabled in Committee to attempt to broaden the overriding aim. Many of the roads proposed as red routes can reasonably be said to be concerned solely with traffic movement and they include the motorways and roads such as the A3 Kingston bypass. However, far more of the roads must serve a wide variety of purposes. The A23 in Brixton, for example, runs through what is primarily a shopping centre. The A203 South Lambeth road is mainly a residential road. The A304 Fulham road is a mixture of housing and local shops and in Putney, it becomes the local high street. Those roads are not primarily main arteries for traffic, and it is wrong to have that as an overriding aim.

The amendment seeks to replace the word "traffic" with the words "people and goods". That is not a meaningless difference. To the lay person, "traffic" is synonymous with vehicles. We should not be concerned with aiding the movement of vehicles per se, because vehicles are only a means to an end. The objective of the movement of traffic is more important and it is to get people and goods to their destination.

The distinction is becoming clear to users of the red route pilot scheme and can be seen clearly by organisations such as the Freight Transport Association. The FTA originally had some reservations about red routes, but it quickly became a firm supporter as the allure of less congestion was waved in front of it. That was obviously quite important for its members who drive their lorries around the capital. However, after experience of the pilot scheme, the FTA has now called on the Minister for a radical review.

Great difficulties have been encountered in delivering and picking up goods from premises on red routes. For example, a bread lorry was towed away while the driver was telling the baker that he would not be able to make any deliveries. The FTA now opposes the red routes because it realises that a few seconds off driving time is vastly outweighed by the extra costs to businesses that front on to red routes.

Businesses are reporting big problems up and down the pilot red route. The Islington chamber of commerce has reported that, on average, turnover in shops on the red route pilot scheme is down by 30 per cent. in comparison with the same period last year. In some cases there was a decline of more than 50 per cent.

Mr. Allason: Will the hon. Lady give way?

Ms. Ruddock: No, I do not have time.

Dame Elaine Kellett-Bowman (Lancaster): There is no time limit.

Ms. Ruddock: I am aware of that, but some of the hon. Lady's colleagues took up a vast amount of time discussing earlier amendments, and we are anxious to proceed.

The businesses to which I have referred are mainly small businesses which Conservative Members support, but they cannot continue to survive in the climate that I have described. The Minister's response to the concern has been to say that the businesses should not have been there in the first place and that they should not have started up in areas that already have parking restrictions. That comment is, in part, misleading. Most of the parking restrictions have not changed. We believe that parking restrictions should be enforced. In earlier amendments we tried to have parking restrictions enforced. We criticised the lack of enforcement of parking restrictions.

Mr. Allason: The hon. Lady has just contradicted herself.

Ms. Ruddock: Not at all. We have said that parking restrictions should be enforced and we moved amendments to that effect.

Mr. Allason: Except for bakers' lorries.

Ms. Ruddock: If the hon. Gentleman bears with me for a moment, he will understand my point.

The decline of 15 per cent. over the past five years in the number of traffic wardens has meant that parking restrictions are not enforced effectively. If businesses have continued to accept that parking restrictions are not enforced, they cannot be blamed for that. They have traded according to the local climate. However, I am not even defending that—

Mr. Allason: The hon. Lady must give way now. I will be very brief.

Ms. Ruddock: The hon. Gentleman may be brief, but he must wait until I have finished my argument.

I was simply saying that businesses operate in that climate. The important point is that the problem stems not just from parking restrictions that are being enforced now for the first time on the pilot red route, but from the new waiting restrictions. The problem arises not so much for customer parking as for delivery lorries making deliveries. Businesses are complaining about the loading restrictions that have been introduced with the pilot red route. Those restrictions are proving to be damaging to local businesses.

Even if that were not the case, the Minister's approach would cause large areas of blight in London. If shops and businesses are now deemed to be in the wrong places and must therefore go, it will be difficult to find other uses for those premises along roads like the pilot red route. The Secretary of State will become responsible for blight, but he will not be prepared to take action to remedy it.

Mr. Bowis: Does not the hon. Lady accept that, before a red route is designated—at the moment, we are dealing only with a trial scheme—there is an enormous amount of consultation, including consultation with the local authority? Nothing in the Bill requires red routes to ban parking at any specific time. That can be geared to the needs of a particular road. Surely it is not beyond the wit of man in local government or of the director of traffic to work out for each route a sensible scheme that meets the needs of deliveries and of the people living, working and shopping in the area.

Ms. Ruddock: There is much logic in what the hon. Gentleman says. It should be possible to work out a regime that is sensible and meets the obvious needs of people and goods, which is exactly what we are suggesting should be the priority and main consideration. That is the purpose of the amendment. Perhaps the hon. Gentleman will support it. *[Interruption.]* I remind the hon. Member for Battersea (Mr. Bowis) that the Bill does not contain a mechanism that provides for public consultation. Our next amendment, amendment No. 13, which I shall also move, introduces consultation, because that is signally lacking in the Bill as drafted.

If there had been consultation that was as rigorous and considerate as the hon. Gentleman would wish, the problems that I am now outlining would not be occurring. Adequate consultation would surely have ensured that businesses would not now be encountering the immense difficulties that they are currently reporting to the chambers of commerce and to my hon. Friends the Members for Islington, North (Mr. Corbyn) and for Islington, South and Finsbury (Mr. Smith).

9.30 pm

The amendment emphasises the needs of people and goods. It will mean that the overriding objective of the red routes is not simply the movement of vehicles, but the movement of people and goods to their destinations, which is what we suggest should be the primary aim of transport.

Another function of the amendment is that it will allow priority to be given to the efficient users of road space—the buses. Various hon. Members set out their view in Committee, which was that it is not possible to speed buses without similarly speeding cars, and vice versa, and that any move to speed cars will automatically help buses. However, that analysis is not accurate. Large-scale bus priority measures will speed buses, but will not affect car journey speeds significantly. It is a fallacy to suggest, as some Conservative Members have suggested, that bus lanes slow down other traffic. That is not the case, as long as they are properly designed.

Mr. Spearing: My hon. Friend has not yet mentioned—perhaps she is about to do so—that the movement of people, whether by bus or by car, might be enhanced by bus lanes, which would increase the time spent by people travelling in private cars, but there will be a net gain for everyone, with a better flow of people. That shows the inept and incorrect criteria that the Government are adopting in this part of the Bill.

Ms. Ruddock: My hon. Friend's points are well made. Large-scale bus priority measures would significantly increase the average speed at which people can move without significantly changing the average speeds of all vehicles. That is because buses are far more efficient users of road space than cars.

Furthermore, no-car lanes and other measures that aid lorries could speed the movement of freight without significantly increasing the volume of traffic or the number of cars, thus avoiding the environmental problems that that could create.

The distinction between traffic on the one hand and people and goods on the other is significant. The use of the latter definition would remove the overwhelming priority that has been given to passing vehicles and would allow a proper balance to be struck between access to red-route frontages and movement along those routes.

In the light of the experience of the pilot red routes, I hope that the Minister will concede that all is not well and that it is important to have much more regard than the Government have given in the pilot project to the movement of people and goods rather than stressing the simple speed at which vehicles can move past the homes in which people live and the shops in which they wish to conduct their business.

Mr. Adley: I am not unsympathetic to what the hon. Member for Lewisham, Deptford (Ms. Ruddock) has said. I am sorry if that upsets some of my hon. Friends but I am bound to say——

Mr. Jeremy Corbyn (Islington, North): My hon. Friend has already been reselected.

Mr. Adley: If I managed to vote against the poll tax without it causing me any problems, it will not be a problem if I agree with the hon. Lady. Having just returned from Ribble Valley, I am pleased to put that on the record.

The Government's phase of believing that the market is the only necessary discipline to deal with the problem of London's traffic should be consigned to the dustbin at the earliest opportunity. Unrestricted competition, certainly between coach companies, is one of the most serious problems that we face in London, although not the only one. Small numbers of people are brought into London by coach but the amount of congestion and pollution which the coaches create is out of all proportion. Therefore, the hon. Lady's amendment to replace the word "traffic" with the words "people and goods" is perfectly fair.

Westminster city council suggested in a recent document:

> "The Government should recognise that coach terminal provision in London is a strategic planning matter.
>
> The Government should support a dispersed terminal strategy.
>
> The Government should recognise also that coach parking in Central London is a strategic national matter and consider making it eligible for grant support."

My hon. Friend the Minister properly praises Westminster city council for its efficiency, but I assure him that the people responsible for dealing with the day-to-day problems of London traffic in that local authority will tell him that they are unhappy with the present situation.

The number of coaches towed away by the Metropolitan police rises inexorably. Indeed, when my hon. Friend the Member for Enfield, Southgate (Mr. Portillo) was Minister for Public Transport, he produced some figures with which I shall not weary the House, which showed that the number of coaches towed away by the Metropolitan police was rising month by month. Unless

[Mr. Adley]

we deal with the problems of priority routes properly, we shall continue to place an intolerable burden on the Metropolitan police. I am sure that none of us in the House would wish to do that.

You will recall, Mr. Speaker, that when the Sessional Order was moved at the beginning of this Session, I raised the problem of access to this building caused by the illegal parking of coaches in and around Parliament square. Mr. Cockram, the clerk to the traffic commissioners, has been in correspondence with an officer of the House, Mr. Brown, from the Select Committee on House of Commons Services. On 7 June last year, he said:

"On the evidence of recent checks, they"—

that is a company called London Cityrama—

"appear to have broken one of those conditions and have now been warned about this. The breaches are not however such as to justify the Commissioner taking action to revoke the licence and nor does the legislation give him power to require them to use a different bus stop from that presently authorised."

So clearly there is inadequate legislation on the statute book to deal with the problem.

I know that my hon. Friend the Member for Thanet, North (Mr. Gale) will not mind if I quote correspondence from National Express, which is one of the worst offenders on trunk routes and other roads in London. I have a series of letters from various members of its staff who admit that some of the company's drivers have erred and strayed from their way like lost sheep, or not, as the case may be.

One letter of 2 November 1988 says:

"I am concerned to note that the vehicle's engine was running unnecessarily and I will ensure that the matter is brought to the attention of the owning company".

More recently, Mr. J. C. Myers, the managing director, wrote on 29 October last year:

"I have arranged for further notification to be sent to all of our operating companies reminding them of the restrictions defined by Westminster City Council."

A letter of 5 December 1990 said:

"I regret this further intrusion and your identification of vehicle registration numbers is helpful in sorting out offenders . . . I would seek to reassure you that we are taking action to stamp out this practice."

Two months later—indeed, only this morning—I received a letter which said:

"As you are aware, we have issued notices to all companies operating on the National Express network and your action in pinpointing specific times and registration numbers does at least enable us to trace individuals and arrange for the staff concerned to be disciplined".

They write letters, but nothing ever happens. We need to stiffen the legislation in the way in which the amendment proposes.

We need much greater use by my hon. Friend's Department of exhortation with the local authorities to install road humps—not on red routes—which will be yet another opportunity to slow down traffic and prevent unsuitable traffic from using some of the routes. The changes in the law which we have produced in the last few years have aggravated and in some cases created the problems of which we speak. The Bill deals with the overall problem of traffic; it seems to me that one class of offender —coaches—is still allowed to escape the rigours of the rules.

Mr. Chris Smith: I support the amendment moved by my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock). The red route proposals which the Government make in the Bill and which they are already implementing in my constituency are a classic example of putting the needs of the movement of traffic of and for itself before the needs of people and services. It is a case of the interests of commuters being put above the interests of local people, local traders and the local community.

The red route pilot scheme runs along Holloway road and Upper street, through my constituency. The Minister will know from my correspondence with him, and from the meeting that I had with his predecessor, together with the Upper street business association, of my fierce opposition to the idea and the content of the red route scheme. Its effect on local businesses has been severe. Its effect on side street parking for local residents has been adverse. Effectively, it has divided the community in two. It has the overall effect of drawing traffic into the area, whereas we should be attempting to reduce the volume of traffic passing through inner-city areas.

It is already having a discernible effect on local businesses and shops. Only this morning, I received a copy of a letter which the proprietor of a local shop, Aria, has sent to the borough council. I shall quote from the letter, because it puts the case succinctly:

"The red routes have been in operation now for some weeks and from the point of view of our business, the red route has proved a disaster. Whilst traffic speeds may have increased along Upper street this has been at a cost to the environment and in the long term the shops and businesses along it. . . . My area of greatest concern however is the effect on Saturdays when a greater number of people wish to visit the shop by car and yet restrictions apply as if it were a normal weekday. Levels of commuters and goods traffic are considerably less than during the week and there appears to be no sound basis for continuing with the red route restrictions in Upper street."

That is a clear statement of the problems for just one of many businesses which are adversely affected along the line of the red route.

I have a number of specific questions which I hope the Minister can answer. First, when will the review that he has promised of the operation of the pilot red route scheme be carried out? Secondly, will that review look not so much at the flow of traffic and the impact of the red route on the flow of traffic as at the impact on the local people and the local businesses? Thirdly, will there be any amendment to the operation of the red routes so that they operate purely at rush hours and not throughout the day until a late hour? Fourthly, will the red route be removed entirely, as it should be, on Saturdays? Fifthly, will there be provision for tidal operation of the red route rather than operation on both sides of the road throughout the day?

Sixthly, what has been the diversion of police resources to police the operation of the red route? Are they there to protect the interests of passing traffic or to patrol the streets and protect the interests, property and lives of my constituents? It seems that at present they are devoting undue attention to the needs of the red route.

Seventhly, will the Minister think again about the whole crazy idea of red routes? It is about time he did, and for once put the needs, views and concerns of people first. We in Islington do not want this red route imposed on us.

9.45 pm

Mr. Allason: I am in favour of red routes, and I urge the House to reject the amendment. The hon. Member for Lewisham, Deptford (Ms. Ruddock) is trying to have it both ways, because this is clearly a matter of priority. It is concerned with the movement of vehicles, and it would be

sheer ideological nit-picking to substitute the words of the amendment, for this is a matter of getting buses moving. If the hon. Lady also wants to prevent lorries from stopping and unloading, she is advocating two contradictory plans.

The red route at Archway has been a great success. I understand that the traffic flow has increased by 30 per cent. I know that I speak for many other residents of the Fulham road, the A304, which is scheduled to become a red route, when I say that delivery lorries parking inconsiderately clog the flow of traffic. Such vehicles could easily move into side streets if they wish to convey a message that will take perhaps only 30 seconds to convey —for example, to say that there will be no further deliveries.

Mr. Simon Hughes: The hon. Member for Torbay (Mr. Allason) has a proper point to make about the implications for delivery and goods vehicles of changing the traffic flow, and it is right that we should consider that aspect.

The first principle of any traffic planning is that, if one creates a fast throughway for traffic, one draws more traffic to it, and the last thing London needs is more traffic. Traffic speeds in central London have slowed simply because there is far too much traffic for the capacity of London's roads. The more we investigate the possibilities of red routes, try pilot schemes and implement red route schemes more widely, the more we shall attract traffic down those arterial roads into central London and thereby congest the capital city.

I view with some apprehension any judgement by the Department of Transport that the Islington/Archway road red route is a success, because I have no doubt that the New Kent road and the Old Kent road, which run through the middle of my constituency, will be chosen because they are major trunk roads from London to Dover. They will obviously be considered as candidates for red routing.

If it were only a matter of containing the current amount of traffic and allowing that to pass in a less impeded way, that would be fine, but that is not the implication. Shoppers and pedestrians wishing to cross red routes find that they are more dangerous roads to cross and walk along. For those who live alongside those roads, there is more disruption and environmental disadvantage, with traffic pounding ever faster and in greater volumes along their frontages. That in all probability reduces the value of their properties even more, remembering that many people would not have chosen properties in the Archway road as homes even in the old days.

Mr. Bowis: I agree with the hon. Gentleman's remarks about not attracting more traffic into London. Does he accept that some of the traffic that comes on the faster flowing red routes has hitherto been rat running down residential streets, and that the interests of people living in those rat runs should also be taken into account?

Mr. Hughes: That is true, but the way to deal with that is to use traffic calming and other measures in side streets to stop the rat running and to make sure that we reduce the number of goods and private vehicles using the roads, thereby solving two problems. The problem of rat runs is solved, and that simultaneously reduces traffic coming into London. Such traffic ends up in the middle of the city and has to find somewhere to park or an escape route.

The GLC promulgated the good idea of encouraging vehicles to go round London rather than through it. The red routes will encourage drivers to come into the middle of London. As I said before, the red routes in London should be for underground trains and for buses.

Mr. Corbyn: The red route that we are discussing starts in Haringey and runs through my constituency and that of my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith). It is universally unpopular. In an answer today, the Minister told me that he had had 100 letters on the red route. Pressure of work or time, or an inability to count up to 100, prevented him from telling me how many of the letters were in favour and how many were against the red route.

I and my constituents object to red routes, because of the philosophy and principle behind them. Two years ago, the Government produced proposals for the east London assessment study, which was designed to create motorway-style roads into central London. The proposals were strongly opposed by people in my borough and neighbouring boroughs, and were subsequently withdrawn by the Government. It is interesting to note that the proposed red route follows roughly the line proposed for the major route.

We suspect that the red route's purpose is not to improve the safety or flow of traffic or the safety of pedestrians, but to bring more traffic on a fast route into central London, in this case to the City and docklands. Consultation on the system has been minimal. There was no consultation with the people of Islington about the principle of having a red route through their borough. We were consulted on the details of it being brought in. It is strongly opposed by people who see difficulty in crossing roads because of speeding cars, by people who are disturbed by increasing noise on the road and by those who suffer from disabilities and who are told that they can stop only in designated parking spaces, even though those spaces may not be outside the shops which people want to use.

At the start of the red route, there were farcical attempts by the police to move a post office van out of the way while the postman was emptying a letter box. He was told to remove his van and in future not to empty a letter box on the red route. As my hon. Friend the Member for Lewisham, Deptford (Ms. Ruddock) said, there was an attempt to move a milk float. There have been other such incidents.

Many of the shops and businesses on the red route have no rear access. They are old buildings, and some of them have a mews access. Deliveries and collections have to be to the front door of the shops. That is a fact of life, whether or not it is convenient to the red route. A furniture shop on the route has had a 30 per cent. drop in takings simply because it cannot take deliveries during working hours when the furniture is brought into London from the manufacturer. In one case, a lorry came from north Wales and had to be sent back because it could not deliver.

People buying furniture from a shop on the route cannot take it away, because they cannot park close enough. The only alternative is to walk across the Holloway road carrying a double bed or a settee, and that presents more danger than a lorry parking outside a shop. The route has had a detrimental effect on the lives of people in the borough.

[Mr. Corbyn]

Hon. Members who do not represent inner-London constituencies should be told, if they do not already know, that, about halfway through the Committee proceedings on the Bill, a map produced by the Department of Transport showed a plethora of red routes to be introduced all over London. That was to be done by an unelected, unaccountable, appointed traffic commissioner with powers over local authorities to do as he or she wished. In future, traffic management will be a form of dictatorship.

Our objection to the red route is not just the increase in traffic but the philosophy of increasing the volume and speed of traffic while in ignorance of the needs of pedestrians, people with disabilities, people who wish to shop in the area and those who wish to deliver to or collect from shops.

There are already signs of a significant drop in the takings of all the small businesses along the red route. That will lead to their closure. Around the Nag's Head, at the junction of the Seven Sisters road and Holloway road, Jones Brothers, once a major department store in the area, has closed, as have other shops. Dead shopping areas are appearing all along the route.

The Minister must understand that people who live in inner-city areas usually have a lower level of car ownership than those elsewhere. Less than half the households in my borough have access to a car, never mind the individual use of a car. The needs of pedestrians and public transport are more important to them than increasing the number of commuter motorists, often in taxpayer-subsidised cars, tearing in and out of London.

The solution to London's traffic problems does not lie with traffic management schemes such as the red routes and all that goes with them; it lies with the philosophy that increases accessibility to public transport and reduces its cost. That is the way forward for the city, not by bringing more traffic into an already overcrowded and polluted central area of our city.

Mr. Chope: This debate is largely about semantics. *[Interruption.]* If Opposition Members look at the terms of the amendment to which they have been speaking, they will see that it seeks to substitute a new word for the word "traffic". People who are travelling and freight that is being moved are important considerations, but people and goods are moved by vehicles, and vehicles constitute one part of the dictionary definition of traffic. The other part of the dictionary definition is people.

The Bill and the red routes are all about freeing the movement of traffic to cut down waste and pollution and to improve safety. Those are desirable objectives. The essence of the scheme is primarily to improve the movement of traffic, and that is what needs to appear on the face of the Bill.

Mr. Spearing: Does the Minister agree that the movement of goods and people can be achieved by various modes, including shoe leather and crossing the road? In the Minister's book, movement by traffic seems to mean movement by motor vehicle. It is not a semantic difference —it is a big and fundamental difference.

Mr. Chope: The hon. Gentleman will probably accept that the movement of people by bus and the movement of goods by lorry are important considerations. The movement of people who service the community in London by van is also important. All those are difficult considerations to balance, but we think that, by concentrating the through traffic in London on the main routes, we shall be able to relieve the pressure on the other routes. The red route scheme is gaining increasing popular acceptance.

When London Weekend Television wished to do a hatchet job on the Government's red route proposal, it sent a crew up the red route in the morning and back again in the afternoon, speaking to many people on the route, including motorists and others. But at the end of the day, when the crew came to interview me, it had to accept—contrary to what the producer had hoped—that the red route was a pronounced success. But then—surprise, surprise—LWT did not feel it necessary to show that programme.

Mr. Simon Hughes: Does the Minister accept the proposition that there will be more traffic on that red route?

Mr. Chope: I accept that the creation of a red route will make it easier for traffic to move away from the other routes and on to the main route. That is the essence of the scheme. We hope that the amount of traffic in London will not increase significantly, but it is important that we should make the best use of London's main roads, because it is clear that the people of London do not wish to have a lot of new purpose-built roads imposed upon them.

Mr. Hughes: Does the Minister accept that the creation of a red route will increase the amount of traffic passing along that route, wherever it comes from?

Mr. Chope: Yes, if it is successful, it probably will. The hon. Member for Southwark and Bermondsey (Mr. Hughes) looks dissatisfied with that, but surely it would show that the red route was a success.

Many comments have been made about the effects on businesses. I am sure that the hon. Member for Islington, North will have noted that it is not merely businesses in Islington which did not have an especially good January.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Road Traffic Bill may be proceeded with, though opposed, until any hour.—*[Mr. Boswell.]*

Question again proposed, That the amendment be made.

Mr. Chope: A firm in Knightsbridge has not been doing especially well on the retail side recently, but it has not blamed its lack of business on a red route.

We shall have to await the results of the monitoring being carried out by the transport and road research laboratory. As I have already said, I am willing to meet people from the business community.

Mr. Corbyn: I understand that the report is being prepared. To what extent will it look into the business and social effects of the route on shops and so forth alongside it? If the report deals solely with traffic movement, it will not answer many of our objections to the route.

Mr. Chope: As I understand it, the transport and road research laboratory is making a comparison with what is happening in Streatham, where there is no red route, so it

will be able to compare effects on businesses and shops there in the same period with the effects of the red route in Islington.

There has been a great deal of disinformation and exaggeration about the impact of the red route. Many of the businesses complaining about it were already in unsatisfactory positions. Three of the businesses which have complained are located next to bus stops, on zigzags next to traffic signals—as they were before the red route was introduced. Ten other businesses which have complained about the new red route are complaining about enforcement of regulations which applied before. There is certainly more provision for proper loading and unloading facilities on the pilot red route than existed before. That will be helpful to the community in Islington, especially when work on side roads has been completed.

I do not think that I shall be able to persuade the hon. Member for Islington, North that red routes are the right answer, as he argued against them articulately and emotionally in Committee, but I am sure that people in London will come to appreciate the initiatives that the Government have taken by introducing red routes.

Question put, That the amendment be made:—

The House divided: Ayes 143, Noes 219.

Division No. 82] **[10.03 pm**

AYES

Adams, Mrs. Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joseph
Bermingham, Gerald
Bidwell, Sydney
Boyes, Roland
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cartwright, John
Clarke, Tom *(Monklands W)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Mrs Margaret *(Moray)*
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Heal, Mrs Sylvia
Hinchliffe, David
Hood, Jimmy
Howarth, George *(Knowsley N)*
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Kirkwood, Archy
Lamond, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Martin, Michael J. *(Springburn)*
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Hara, Edward
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Redmond, Martin
Reid, Dr John
Richardson, Jo
Robertson, George
Rooker, Jeff
Rooney, Terence
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Jack Thompson.

NOES

Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Butler, Chris
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Davies, Q. *(Staml'd & Spald'g)*
Day, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael

Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Killedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Rt Hon Sir Nicholas
McCrindle, Sir Robert
MacKay, Andrew *(E Berkshire)*
Maclean, David
Malins, Humfrey
Mans, Keith
Maples, John
Martin, David *(Portsmouth S)*
Mawhinney, Dr Brian
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, John
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Scott, Rt Hon Nicholas
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike

Tellers for the Noes:
Mr. Tom Sackville and Mr. David Davis.

Question accordingly negatived.

10.15 pm

Mr. Simon Hughes: I beg to move amendment No. 13, in page 38, line 15, after 'Commissioners', insert

'(bb) such organisations of road users as he thinks appropriate;'.

I shall be very brief. This amendment was tabled by Front-Bench Labour Members, and I have supported them. It may be that the hon. Member for Kingston upon Hull, East (Mr. Prescott) and one or two of his colleagues will add a word or two in support of my remarks.

The amendment concerns the process by which red routes are established. The Bill, as drafted, includes a provision for consultation with three different agencies —the relevant local authority, the relevant commissioner or commissioners, and London regional transport. The amendment would result in the inclusion of such organisations of road users as the Secretary of State thinks appropriate. This is geared intentionally to ensure that all those other people who would be affected by the creation of red routes were consulted. The obvious categories include pedestrians, who are likely to be among the most severely affected categories, and users of public transport.

It seems to me that this is an appropriate and uncontroversial amendment. Ministers always have reasons for opposing amendments that are not of their own making. Those reasons can be either technical or substantive. I believe that there is no fundamental, profound or justifiable reason for resisting this amendment, and I hope that the Minister, having won the last skirmish, will be generous enough to admit that this is a good idea.

Ms. Ruddock: Throughout the Committee stage, Members on both sides expressed concern about the very limited consultation requirements that the Bill lays down. At no point in the procedure for the definition of priority routes or for the preparation of objectives, the network plan or local plans, is there any requirement for the public to be consulted in any way. At best, this principle is accepted only in the case of local plans drawn up by the local authorities, which would expect to consult local businesses and residents in any case. So far as the other cases are concerned, the Minister made it clear in Committee that he expects local authorities to consult local residents and businesses. That is hardly adequate. These are Government schemes, not borough schemes, and boroughs are hardly in a position to explain the details of such proposals, or the thinking behind them, when questions arise—as they surely will.

In the case of the London assessment studies, the Secretary of State accepted this point and agreed that civil servants should present the consultants' proposals to public meetings, as only then could the civil servants be in a position to explain them properly. Even though the civil servants objected initially, this procedure was followed, and most would agree that, although consultation was in many ways inadequate, it was a considerable advance on any form of consultation previously offered by the Department of Transport.

Not only has the Minister refused to accept that point in this case, but he refused in Committee to accept that boroughs should accept the costs of this consultation. He also said that, generally, there would be a period of two months for consultation. After taking into account the time taken to dispatch information, collate responses, write reports and send those reports to Committee members, two months, in terms of local authority practice, would allow the public a maximum of about one week to respond, and in, many cases, no time at all.

Given the fact that these proposals will dramatically affect many people's lives and activities, this is hardly adequate. The Minister may expect the boroughs to consult their residents. As I have said, we believe that such consultation would be totally inadequate, but there are also a number of road users' organisations that cannot be consulted in that way.

Mr. Bowis: Up to now, the hon. Lady has been talking about consulting the public. This amendment refers not to

the public but to organisations of road users. One is aware of organisations such as associations of road hauliers and chambers of commerce, but what about the organisations that represent our constituents who drive on these roads?

Ms. Ruddock: The hon. Gentleman misses the point. We discussed at length, in the previous amendment, the fact that it is not just the movement of vehicles or the people who are moving through London that worries us, but all the people in the neighbourhoods, many of whom my hon. Friends represent in the case of the pilot scheme.

I was about to say that the boroughs are not responsible for the views of the RAC, the Freight Transport Association, the Pedestrians Association or the London Cycling Campaign. Many of those organisations, particularly the latter two, have many members in our constituencies. Indeed, they consist of no one other than ordinary members of our constituencies, who choose a variety of modes of transport and whose views must be properly represented.

Mr. Bowis: That will take place in the consultation. But we also need to hear from Londoners who have to drive.

Ms. Ruddock: If Government policies were different, with proper support for public transport, many of the people to whom the hon. Gentleman refers would not need to travel on the roads but would have alternative modes of transport. It would then be possible for organisations of passengers who travel by public transport to be represented.

Mr. Bowis: That is different.

Ms. Ruddock: Indeed, it is different. But if the hon. Gentleman refers simply to those many individual car owners who travel through areas of London but have no reason for being in a neighbourhood, for example for shopping, the only organisations that represent them are those such as the RAC, to which I have already referred.

Mr. Bowis: I am not referring to people who do not live in the area. If one is to have consultations with organisations, one must consult fairly, across the board, with organisations covering all road users. One specific group of users comprises people who live in London but who use their vehicles—because they have to, because they choose to or because public transport is not available. How would the amendment relate to them?

Ms. Ruddock: The amendment can deal only with organisations that exist. Perhaps the hon. Gentleman will acknowledge, as I suggested earlier, that the RAC could be deemed to represent individual car users. Nowadays, organisations such as the RAC and the AA are not simply rescue services but have developed a broad tranche of transport policies, and they represent car users. If the hon. Gentleman has in mind any other representative organisations, we shall be happy to hear from him. If he says that there are no organisations in existence, his suggestion is impossible. We seek to make available consultation to legitimate organisations that obviously represent a variety of forms of road users.

I repeat that there are organisations that should be consulted. The Bill gives the members of those organisations no right to be consulted whatsoever. That is the purpose of this minimal though important amendment. It would not be responsible of the Minister to put the responsibility for such consultation on to the boroughs, especially with the short time scales that he is proposing and without any extra finance. It is hardly sensible to expect the boroughs to consult more widely on proposals which are not theirs. I hope, therefore, that the Minister will take this modest proposal seriously and accept it.

Mr. Spearing: As I said on Second Reading, I have a particular reason for speaking on this amendment about consultation. I wish to show that, with better consultation, some of the misconceptions and difficulties of the scheme will be revealed. It is possible that I am the only person —certainly the only person on the Floor, although perhaps not in parts of the Chamber that we cannot name—who has been involved in implementing such a scheme.

It is now 25 years since the former Greater London council introduced clearways in London. Those clearways were designed to do almost exactly what the Minister is attempting to do with the red routes. A clear and comprehensive plan was developed across the river—where it should be—by a strategic, policy-making organisation for London. It relieved the House of matters with which it should not concern itself at this time of night, or any other time.

The plan involved a considerable amount of consultation. I remember going to many boroughs. Four sub-committees were dealing with the issue, and we spent hours round the tables in town halls trying to balance the need of the increasing movement of traffic against the needs of frontages along unique pieces of highway.

The Minister will know some of the high roads in the London borough of Wandsworth. Many of the potential red routes are along roads that existed as country lanes before London became a built-up area—for example, Streatham high road, East hill, Wandsworth, and Wandsworth high street. There are many roads in the Clapham and Battersea district with which he will be familiar from his local government days, which were built up in Edwardian times. Some of those roads were tram routes, and were thoroughfares long before the motor car or lorry became common.

A thoroughfare is not the same thing as a road; it is a multi-purpose phenomenon. It is true that it always has a road carriageway in the middle. Originally, horses and carts, trams and cycles went down the carriageway, but a thoroughfare is much more than that. It includes the pavements, the businesses, the houses, as well as the cross-routes that join the main carriageway, typical of Edwardian and Victorian London.

Further out of London there are roads that were built, specifically with traffic in mind, in the 1930s. Some of those roads were modified—for example, the Kingston bypass and parts of the A13. Some new arterial roads have been built specifically for traffic.

I suspect that the roads that the Minister has in mind and those on which he will be making designation orders are urban thoroughfares of the sort that I have described, which, for reasons we all understand, are the inner thoroughfares leading to outer arterial roads. The Minister wants the traffic-carrying capacity of those thoroughfares to impinge on the local community.

The Bill states that the Minister should take note of the unique circumstances of each scheme and consult on them, as the Greater London council did on clearways. Perhaps the Minister will explain why the clearways scheme cannot be extended as a concept, beefed up or modified, because

[Mr. Spearing]

it was the original scheme. It was not perfect, but it improved the flow of traffic without impinging too much on the interests of local people.

The hon. Member for Battersea (Mr. Bowis)—there are many such roads in Battersea—asked which organisation should be consulted. I have no doubt that both he and the Minister are often approached by old-age pensioners' associations, which are sensitive to issues such as traffic lights and zebra crossings, which present desirable opportunities for people to cross roads. If the Minister takes a census—I do not know whether the transport and road research laboratory is conducting one—he may find that the number of people walking up and down the road or wanting to cross it on foot is larger than the number of vehicles using it.

Thoroughfares provide just as important a function for pedestrians as vehicles, sometimes more. There are often many more pedestrians walking up the sides of London roads than travelling on them. Victoria street might be a good example. One must take account of the fact that the flow of traffic is often lower than one might think. What about pensioners' organisations? All of us who use roads know that traffic lights must be phased. A judgment must be made at every intersection about the balance of traffic, including cross-traffic and local traffic which does not run on the trunk routes. It has to be decided how much time to allow for each phase.

When the Minister designates red routes and it comes to designing or redesigning the phasing of lights, the organisation that runs the lights—I bet that most people, even hon. Members who represent London constituencies do not know what it is——

Mr. Corbyn: Yes, I do.

10.30 pm

Mr. Spearing: Perhaps some do, through consultation. That organisation says that, in his order, the Minister said that priority must be given to such routes, to the disadvantage of local traffic which has to make cross-journeys. It does not involve only pedestrians but other movements in the same area. That problem may be covered by local authorities, but why should not the chambers of commerce that cover the appropriate red routes also be consulted?

I mentioned zebra crossings, but what about pelican crossings? Sometimes, they are more effective and efficient. If there are too many zebras, the traffic is held up, perhaps unduly. It is thought that it does not matter too much if pedestrians wait for 15 seconds to let the traffic pass. They can press the button and cross in a group, which is why pelican crossings are sometimes more effective and efficient. The Minister must bear in mind when he makes an order for a red route the fact that pelican crossings will disappear, or a pedestrian will have a much longer wait.

I have a vivid recollection of a route in a former constituency of mine—Western avenue in Acton. That was built for traffic, and the poor pedestrian could not cross it. I was assailed by residents' organisations which asked me to induce the hon. Member for Bury St. Edmunds (Mr. Griffiths), when he was a Minister at the Department of Transport, to do something about it. The residents did not have even a pedestrian signal, so they had to watch the main traffic lights and cross four lanes of traffic, if they could. An official came and got his feet wet, marching up and down to identify improvements to the route which are now enjoyed by the hon. Member for Ealing, Acton (Sir G. Young).

If the ill-begotten scheme and the vast complex statutory jungle of 28 clauses following clause 41 are accepted, they will be a barrister's paradise, a bureaucrat's nightmare and a citizen's jungle. There should be proper consultation with bodies that are relevant to each local scheme, because there will be users of the thoroughfares as well as of the carriageways.

Mr. Corbyn: I support the amendment, and I am grateful to the hon. Member for Southwark and Bermondsey (Mr. Hughes) for moving it.

The clause states that, before making a priority route order, the Secretary of State shall consult the London authority—the borough council—

"the relevant Commissioner or ... Commissioners"

and London Regional Transport. We had a lengthy debate about that in Committee and the Minister told us that it was the local authority's duty to consult local organisations. He said that it should be the local representative body that dealt with local opinion and views.

I have no problem with that, because my local authority went to enormous lengths to consult people about the red routes and to convey the opinions of local people to the Minister. It faithfully conveyed local opinion through its transport committee and the council itself, to the effect that there was massive opposition to the red route. Unfortunately, the Minister, in his high-handed and didactic fashion, ignored and overrode the wishes of local people.

Other local authorities in London may not be as cautious in consulting local opinion as the borough of Islington attempted to be. In Committee, even the Minister accepted that Islington had gone to considerable lengths to consult local groups. Other borough councils may not do the same or may not have the resources to undertake a consultation exercise.

One feature of the introduction of the red or priority route system in London has been that expensive schemes and consultation documents are put together by the Department of Transport, which local organisations then rebut. The local organisations want to propose their own ideas, but they do not have the resources to do so. The Minister should, in fairness, tell us what assistance may be given to local organisations so that they can propose their own traffic scheme.

When dealing with road planning, there is a David and Goliath approach. The Goliath of the Department of Transport descends on the poor unsuspecting folk of one community and then expects them to produce, in a short time, an alternative view if they disagree with the Department's ideas.

We suggest that there should be a guarantee of consultation with those who use particular roads. Some organisations do not operate within one borough boundary; they may go far wider. An example is the Dial-A-Ride Users Association, which operates across London and which has local derivatives, such as the Islington Disablement Association. Groups representing the disabled should be represented. Those who represent pedestrians who live in a particular area should be represented, as should those who represent cyclists, those

who represent delivery and collection, and local shopkeepers and business people. All those groups should be consulted and represented. The local authority's ability to put forward its view on the question before it is also important.

I find it rather depressing that, in 1991, when we should be talking far more about the development of activities and control in matters such as traffic, we face strong Government centralisation of local decision-making. It is depressing, as my own borough council of Islington has devolved its activities into 24 neighbourhood offices, which are popular within the borough. They give greater contact between the council and the people, and they provide far more effective consultation on issues such as traffic. Yet the borough council is unable to control what goes on with traffic across the borough.

A conglomeration of London boroughs banding together cannot decide what goes on Londonwide. Instead, the Secretary of State for Transport makes local and detailed decisions on where traffic flows go and on what powers the traffic commissioner has over neighbouring streets and sideworks. It is depressing that we should be moving into a period of centralisation.

If the system is brought into operation in London on the back of the abolition of our strategic authority, hon. Members who represent constituencies outside London should beware. If the Government abolish the county councils, these proposals will grow like triffids all over the country.

Mr. Henry Bellingham (Norfolk, North-West): Like what?

Mr. Corbyn: Like triffids—John Wyndham's book, for the uninitiated. Triffids grew up everywhere.

Hon. Members will find that the process of red routes and of centralisation of traffic management comes directly under the Department of Transport. We already live in an over-centralised country. These proposals will make it far more centralised.

We propose a slight mitigation. There would have to be consultation with all groups of road users who have a legitimate point of view to put. The consultation proposed in the Bill is limited and rests solely on the need of wheeled traffic to get more quickly through the area. That wheeled traffic is largely cars and, to some extent, buses. I want the needs of pedestrians and those with disabilities to be taken into account—indeed, the needs of the community as a whole should be taken into account. It cannot be lost on Conservative Members that, if one speeds up the traffic on a particular road, one increases the dangers to pedestrians. That will also increase the sense of isolation between communities on each side of the road. If the small shops are killed off, the bigger shops will be killed off, and if that happens, the shopping community will be killed off.

As the Minister drives along the Archway road in his publicly owned and chauffeur-driven care, if he looks out of the window, he will spot a large graffito which reads "Red route = Dead route."

The red route is damaging the community. There should at least be wider consultation so that all the effects of increasing traffic speeds and flows can be considered before a priority route is imposed on a community that does not want such a route.

Mr. Chris Smith: I support amendment No. 13 because it seeks to widen, to a certain extent, the process of consultation that must be undertaken before a red route can be designated. I would like the amendment to go further. The Secretary of State should have a statutory duty to consult local residents and businesses about a proposed red route instead of relying entirely on the channel of communication available to local people through their local authority.

In the limited consultation on the pilot red route scheme, the local authority quite correctly relayed to the Minister the near-unanimous view of local people and businesses that they opposed the red route proposal. However, the Minister completely ignored those views. Instead, he placed enormous emphasis on the anecdotal evidence of a London Weekend Television crew which stopped a few drivers on Upper street and asked them what they thought about the red route in operation. If a Transport Minister can make crucial decisions about transport in that part of London in that way and place more reliance on the hearsay ad hoc evidence of a television crew than on the carefully consulted evidence from the local authority, the provisions in the Bill cannot be sufficient.

The Department of Transport's consultations about the pilot scheme for the red route were completely inadequate. The idea for it germinated during consultation on the east London assessment study. At no stage in those discussions, or in proposals from Department of Transport officials, was the prospect of a red route mentioned for Archway, along Holloway road, Upper street and into City road. The only consultation—*[Interruption.]* It would help if the Minister would listen to the debate. These matters are of crucial importance to my constituents. If the Minister treats my views and those of my constituents with the disdain that he is showing now, I cannot be surprised by decisions taken by the Department of Transport.

Mr. Corbyn: Does my hon. Friend recall that, when he and I consulted people in Islington about the way in which the east London assessment study would affect the borough, we also asked our respective constituents about the red route and we received similar replies? Those responses were conveyed to the Secretary of State in the response to ELAS, but those responses were ignored and we discovered that the first priority route scheme was to be in our borough.

Mr. Smith: My hon. Friend leads me to my next point, which is that the only real consultation that was offered to my constituents on the institution of a red route along Holloway road and Upper street was when concrete proposals were set up in an exhibition in the town hall, with the Department of Transport telling us, "This is what is going to happen. We invite your views on it." A fait accompli was presented to local residents, with no real opportunity for local people to make it known to the Department of Transport that they did not want the red route in any shape or form.

Mr. Spearing: My hon. Friend will have noticed that the Secretary of State for Transport is listening to the debate. Will my hon. Friend conjecture on the possible views of an hon. Member representing an Edinburgh constituency if a route in Edinburgh were in the hands of a Secretary of State for Transport in Whitehall whose constituency was on the south coast? Would not such an hon. Member's constituents take objection to that fact, and does not much the same apply to us, in principle?

10.45 pm

Mr. Smith: I hesitate to be drawn into a constitutional debate about the proprieties of the legislation as between Scotland and England. Nonetheless, my hon. Friend has a valid point and I am grateful to notice that the Secretary of State is in his place on the Treasury Bench and that he is listening to our debate with considerably more care and attention than his Under-Secretary, the Minister for Roads and Traffic.

Mr. Corbyn: Is my hon. Friend aware that the A1 is known as the London to Edinburgh main road?

Mr. Smith: My hon. Friend has a point. Indeed, the route that was chosen for the pilot red route lies along the route of the A1.

Mr. Peter Bottomley: Will the hon. Gentleman give way?

Mr. Smith: For the last time, because I wish to make some progress.

Mr. Bottomley: Is not the A1—the road to Edinburgh—slightly to the east? Is not the hon. Gentleman discussing a road that goes up to, say Chester? We seem to have gone slightly off course.

Mr. Corbyn: The Edinburgh road is the A1. The hon. Gentleman is thinking of the A5.

Mr. Smith: The hon. Member for Eltham (Mr. Bottomley) must know that the A1 passes precisely along Upper street, Holloway road and Archway and finally heads north towards Edinburgh.

It is obvious from what happened with the institution of the pilot red route and from the Minister's response to that consultation that the consultation has been inadequate. The amendment seeks to improve that by, at the very least, including some provision for consultation with road users.

The Minister made great play on amendment No. 12 of the fact that there had been misinformation about the impact of the red route. I must advise him that the only disinformation is in the Department of Transport. It is not among local people, who know full well what the implementation of the pilot red route has proved and is proving to be.

The Minister conspicuously failed to answer the series of questions that I asked when I spoke to amendment No. 12, although I am sure that he has every intention of writing to me with his responses to those questions. Perhaps he will write to me with his response to this question also. Under what legal authority at present is a car that is parked on a Saturday afternoon on a single yellow line within, one must admit, a dotted red line along the red route in Upper street in my constituency—*[Interruption.]* The amendment relates to red routes and consultation. We are talking about the interests of road users. If a road user parks a car on a red route on a single yellow line within a dotted red line on a Saturday afternoon, when parking on that single yellow line——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I find it difficult to see how that matter can possibly arise under the amendment.

Mr. Smith: I do not wish to contest your judgment, Mr. Deputy Speaker, but as you will appreciate, the amendment is about the consultation which the Secretary of State has to undertake before designating a red route. It is about consultation with

"such organisations of road users as he thinks appropriate".

Under what legal authority can a road user with a car who wishes to park on a single yellow line inside a dotted red box on the red route which has been implemented on a pilot basis in my constituency on a Saturday afternoon —when parking on a single yellow line is usually perfectly in order—be taken to task by police and charged with committing an offence? Once the Bill is passed, the position may be different, but what legal authority exists at present for the police to issue a ticket on that vehicle? I should be grateful if, perhaps after consulting his officials, the Minister could provide me with an answer to that question.

The Minister said earlier that the people of London would

"appreciate the initiatives that the Government have taken in implementing red routes."

The Minister is mistaken, and if he consulted properly, with not only local residents but road users, he would find out that he was mistaken. We need more consultation, more consideration and more circumspection about red routes and rather less of the complacency that we have had from the Minister during out discussions this evening.

Mr. Chope: I am in no way complacent about the red routes, but I have to admit to being satisfied with the early effects of the pilot red routes. Indeed, I recall some Opposition Members suggesting that the red routes would never achieve their purpose and that the traffic would not flow more freely. Now that the traffic is flowing more freely, they have diverted their criticism and say that the routes will be at the expense of the local community.

The basis for the provisions for consultation on the priority route network is precedented in the Local Government Act 1985, which provides for consultation with the local authorities, but not with a whole host of other organisations. We think it reasonable that there should be statutory consultation with the authorities mentioned in the Bill, but that does not mean that there will not be provision for informal consultation by the Secretary of State with other organisations.

Mr. Corbyn: What would be the position of a local community organisation which felt that its local authority was unwilling, incapable or simply had not represented its views to the Secretary of State? Would it have redress against the local authority, or would it have direct access to the Secretary of State? It is a real problem which I can envisage occurring in some places.

Mr. Chope: That is a continual problem with any consultation in a rich democracy. Some organisations feel that to be consulted effectively means that they should have a veto on the outcome, when in fact their views simply have to be taken into account. I am sure that a democratically accountable local authority in London would not wish to ignore representations from such an organisation but would allow organisations to inform its view, to be passed on to my right hon. Friend the Secretary of State as part of the formal statutory consultation process.

Mr. Simon Hughes: I have not checked tonight, so I am not 100 per cent. certain, but my recollection is that, when we debated the London Regional Transport Bill in Committee, at a fairly late stage the Government conceded that there should be included in the Bill formal provision for consultation with users and with the community. It may not have been in the Local Government Act 1985, but I think that it was in the London Regional Transport Act 1984. I ask the Minister to reflect on whether that precedent is more valuable than the precedent that he is citing.

Mr. Chope: The reason why I cited my precedent was that, as the hon. Gentleman will know, under the Local Government Act 1985, we established designated roads very similar to the roads that we are talking about under the Bill. In deciding what roads were to be designated, there was provision in that Act for statutory consultation with the council of the London borough in which the designated road was, and the council of any other London borough or county where it was likely to have an effect. It was assumed that, as part of the consultation process, those boroughs would represent the feelings of their citizens to my right hon. Friend.

Mr. Simon Hughes: I understand that. Obviously the boroughs can do that, being a conduit of the views of local people and organisations. None the less, may I press the Minister to be brave, break from his brief and say that he will at least consider the precedent in the London Regional Transport Act and consider, obviously for potential amendment later rather than today, whether it would not be a good PR exercise for consultation with the public at large to be written on the face of the Bill?

Mr. Chope: I have already reflected, following the debate in Committee on the matter. That is why I referred to the precedent of the 1985 Act. That precedent relates to roads in London. The hon. Gentleman asks a reasonable question, and I shall certainly have inquiries made about the precedent which he thinks goes the other way. I cannot recall which way that precedent goes.

We do not intend to introduce the red route network without consultation, but I think that the way in which the Bill sets it out is right and that it would be for informal consultation by my right hon. Friend with some of the other organisations.

Mr. Corbyn: I am interested in what the Minister says about not introducing a wider red route network without consultation. Can he explain the origin of the curious map which appeared in Committee and seemed to show a positive plethora of red routes all over London? Who has been consulted on that? As I understand it, the commissioner has not been appointed, so he has not been consulted yet—if it is a he.

Mr. Chope: Indeed, the traffic director has not been appointed yet, and we do not know whether the person will be male or female. The map, which I am glad the hon. Gentleman found helpful, set out the designated routes to London. It set out a number of the other main highway networks in London. The hon. Gentleman will recall that the original consultation paper on the red routes for traffic

[Mr. Chope]

in London set out on one page, in quite vivid colour, the routes which we had in mind. That is not the final word on the matter, and there will be consultation following the appointment of the traffic director before my right hon. Friend decides which roads in London will be involved.

Mr. Corbyn: What is the status of the map?

Mr. Chope: It was an attempt to be of assistance to the Committee. This is the first time today that there has been a direct reference to the map. I assumed that, because hon. Members had the map before them in Committee, that facilitated the speedy dispatch of the business.

I do not think that I can add further to what I have said. We take the whole issue of consultation seriously, but we do not think that there is any purpose in writing into the statute provisions which are not strictly necessary.

Mr. Simon Hughes: The Government may have a slightly more positive view towards integrated planning, and the traffic director's post may be a jobshare. Will the Minister consider that possibility?

Although the Minister shows some reticence about going further than his brief—clearly, his reflection has not persuaded him to go all the way with us—he seemed to suggest that there was a slight chink of hope that the amendment might be accepted. On the basis of being ever hopeful that there is redemption for Ministers, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 43

The Traffic Director for London

11 pm

Mr. Chope: I beg to move amendment No. 45, in page 39, line 6, at end insert—

'(3A) The Director shall keep under review the manner in which the London authorities exercise their functions under the New Roads and Street Works Act 1991 in relation to priority routes or roads which, in his opinion, are likely to affect traffic using any priority route.'.

Mr. Deputy Speaker: I suggest that it would be convenient to discuss at the same time Government amendment No. 52.

Mr. Chope: I need not detain the House for long. The amendment incorporates in the Bill the connection with the other legislation that hon. Members will shortly have a chance to consider—the New Roads and Street Works Bill.

Mr. Simon Hughes: As I was not a member of the Committee, I apologise if the point that I now raise was canvassed there. Amendment No. 52 proposes to add the provision:

"Where a London authority are asked by the Traffic Director for London to designate a street as a traffic-sensitive street"

and so on. What will constitute a traffic-sensitive street? I presume it is a term of art.

Mr. Chope: Traffic-sensitive streets are roads in which works would cause significant disruption to traffic under the terms of the New Roads and Street Works Bill. They will have applied to them special requirements for the planning and co-ordination of those works. In other words, local highways authorities will have power to give directions to undertakers of works governing the timing of the works. So the highway authority will be very much in the driving seat in ensuring that the minimum amount of disruption is caused by street works on those roads.

Ms. Ruddock: I understand that the details of the way in which the traffic-sensitive route provisions of the New Roads and Street Works Bill will operate have been worked out by a joint local authority/local utility working party and that that working party is not aware of the proposals in amendment No. 52. It seems to that working party that those proposals would greatly undermine the spirit of co-operation that now exists in the working party. It appears, according to the amendment, that the traffic director and the Secretary of State could reach an agreement over the heads of local authorities and local utilities and ignore any agreement that might have been reached by the joint working party.

Mr. Corbyn: Perhaps the Minister will explain amendment No. 45 in more detail. I understood that, under the New Roads and Street Works Bill, local authorities would be responsible for co-ordinating pavement and street repairs after various statutory undertakers and others had completed works. Why is it necessary for the functions of local authorities to be removed in respect of the priority route network?

I am not clear to what extent the authority of the traffic director will extend beyond the priority route. Will it be the immediate junctions, feeder roads to them or any roads that could be affected by the priority route scheme? If the definition were drawn at its widest, large areas of a borough might be handed over to the control of the traffic director rather than remain with the elected local authority.

Mr. Chope: The answer to the hon. Member for Lewisham, Deptford (Ms. Ruddock) is that amendment No. 52 provides for the traffic director to request the London local authorities—the highway authorities for priority routes or roads—which are likely to affect traffic on any priority route and to designate those as traffic-sensitive. If a local authority were to fail to comply with the traffic director's request, the amendment gives the director a right of appeal to the Secretary of State, who may direct that the local authority complies. That seems eminently reasonable. Indeed, some people might think that power to issue such directions should be given to the traffic director himself. We do not seek that power, and I hope that that will be taken as showing the spirit of co-operation to which the hon. Member for Deptford referred. The hon. Lady says that that is not what they think. Perhaps my explanation will allay their fears.

Mr. Corbyn: Do I understand the Minister to say that the power of an order would rest solely with the Secretary of State, who would have to hear a report from the traffic director about the director's dispute with the local authority and then decide whether to make an order? Would such an order be subject to parliamentary approval?

Mr. Chope: I do not think that it would be subject to parliamentary approval, but the procedure about which the hon. Gentleman speaks would take place. The traffic

director would have to put his case to the Secretary of State. If the local authority wished to put an alternative view, the Secretary of State would have to adjudicate.

Amendment No. 45 would require the traffic director to keep under review the manner in which the local highway authorities discharge their duties under the New Roads and Street Works Bill. The most important of those is the duty to co-ordinate works of all kinds in relation to priority routes and other roads likely to affect traffic on a priority route. It is envisaged that in that way the director will have access to the register which will be established by the Bill. That will enable him to maintain an oversight of the conduct of roadworks affecting the performance of priority routes.

The hon. Member for Islington, North (Mr. Corbyn) asked about the distance from the priority routes of roads that could affect those routes. Obviously, that depends on circumstances. I cannot give a more precise answer, but that is the common-sense answer to the hon. Gentleman's question.

Amendment agreed to.

Clause 45

Duty of London authorities to prepare local plans

Mr. Spearing: I beg to move, amendment No. 41, in page 40, line 41, at end add—

'(c) the needs of frontagers for road access and short term parking:

It is in order to remind the House of the context of the amendment. An extraordinarily complex set of orders, regulations and so on were the subject of an exchange during debate on the last amendment, and I was completely lost. I understand that the Minister can make an order for a section of road, and that he does so in accordance with management guidance under a statutory code that he intends to issue. He will also issue objectives to the so-called director of traffic, who is really a director of red routes. Therefore, there will be statutory objectives.

There will also be a London network plan, which may emerge in due course to be contained on the map to which my hon. Friend the Member for Islington, North (Mr. Corbyn) referred. We then descend to council level. Having received all these pieces of paper, each London authority must draw up a local network plan. Clause 45(6) states:

"a London authority shall have regard to—

(a) the Secretary of State's traffic management guidance; and

(b) the network plan."

I assume that management guidance subsumes the statutory objectives, which means that the authorities have many criteria to look at.

The amendment deals with "the needs of frontages . . ." If the local authority does not take note of the needs of local frontages, who will? The Minister rejected an amendment moved on behalf of organisations and said that local authorities would look after them. The needs of frontages are very important. I do not understand why that is not there. I hope that the Minister will have another look at this.

As I pointed out earlier, if the use of the thoroughfare is to be oriented to the needs and speed of traffic, which is the object of the Bill, the needs of the frontagers will be squeezed out. If the needs of traffic are to be emphasised in the "traffic management guidance", and if they are to be further emphasised in the objectives, which are large and can be made by the Secretary of State whether he comes from Scotland, Northern Ireland, Wales or London, the local authority does not have to have regard to anything else, because the Bill says that the local authority "shall have regard".

In other words, the poor old local authority, which is the last statutory bastion of local interest, is or could be —I ascertain that that would be the Minister's objective —prohibited from having regard to the needs of the local frontagers. If the Minister's guidance, management guidance and objectives cut that out, local authorities cannot do it. Moreover, they cannot do it by a combination of statute which I have tried to unravel and the predilections of the Secretary of State and his Minister, which have been made all too clear in earlier debates.

One might imagine, as the Minister said grandly, that the Secretary of State will consider an appeal from the director, answer an Adjournment debate, and so on, but that will not be the case. It will not even be Ministers who looks at such matters. They are great political figures with national and international matters, constituency matters and party matters to attend to, regardless of the political party to which they belong.

One Secretary of State—this is a true story—was outside his property one day when a man turned up with a brown envelope. He asked whether the Secretary of State was the householder. When he said he was, the man gave him the brown envelope. The Secretary of State opened it, to find that it informed him that the Secretary of State was minded to designate his land as being of special scientific interest. The Secretary of State said, "This is wrong," to which the man said "Oh no, Sir—I assure you it is correct." The Secretary of State said "You're lying." When the man, affronted, asked why, the Secretary of State replied, "Because I am the Secretary of State for the Environment." That was the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley).

Such decisions will not be made by any of the Ministers here today—or their successors, who might be some of my hon. Friends here. They will be decided by others. It was difficult enough for members of the Greater London council to decide on such things. They will not be decided by Members who can be tackled in the Lobby by an affronted Member. Unless the Minister accepts my amendment, the needs of frontagers will be statutorily cut out. I am surprised about that, because some of the frontagers will be people whom Conservative Members might wish to encourage. I might also wish to encourage them, as I encourage small-scale private or public enterprise which helps the common weal.

If roads are to be converted into semi-racetracks and all the criteria of traffic management applied thereto, frontagers' interests will be ignored. My amendment does not tell local authorities that they should give those interests priority; only that they should "have regard to" them. But as written and as spoken to, as the Bill goes and as the Executive have made clear, they shall not have regard to the needs of the frontagers, whether it be in Upper street, Islington, Streatham high road, East Hill, Wandsworth or wherever the roads will run. As I said, many of them will be in the sort of high streets which were common in Edwardian and Victorian London.

[Mr. Spearing]

I hope that the Minister will have second thoughts and that he will accept the logic that I have attempted to erect in moving this amendment.

Frontagers need road access, not necessarily parking. Consider the needs, not of shops or premises, but of a disabled or elderly person who wishes to unload some furniture, and is not parking in the strict sense of the word for 10 minutes but merely for three or four minutes. That is what is meant by frontager's access to the road. Occasionally they need access.

Short-term parking could mean for the purposes of delivering to shops, waiting while someone goes into a premises to collect children, going to the doctor's, or picking up someone who is a little late because they are delayed inside the house. All those things are very important for frontagers on such thoroughfares. As the Bill stands, and according to the Minister, however, they will not be regarded by the local authority, which is the last bastion of defence for the liberty of the subject in this matter.

11.15 pm

Mr. Simon Hughes: My Docklands colleague, the hon. Member for Newham, South (Mr. Spearing) and I have a self-interested constituency fear about prospects. I guess that a road which passes from west to east along what is roughly the northernmost boundary of my hon. Friend's constituency might be a fairly obvious candidate for designation before too long.

Mr. Spearing: Barking road.

Mr. Hughes: The A2 is also likely to be a sure candidate for a red route, given that the A1 has already undergone a trial.

My best response to my hon. Friend's story about the former Secretary of State being served a notice is that this morning, before I left home, I heard a knock upon my window, which is only a couple of feet from the road. Today is the second day since the local authority opened a neighbourhood housing office on the site next to my home. I think that the site must have been chosen deliberately for fairly obvious reasons—to add to the mischief that the local authority can impose upon me. The person who knocked on the window had been going up and down the road for some time and had been unable to find anywhere to pay her rent, so she offered it to me. I was minded to take it, but integrity got the better of me and I directed her to the building next door, which is the neighbourhood housing office but has nothing on it to say so.

My hon. Friend the Member for Newham, South spoke to the amendment tabled in our names. I must mischievously remind him about the second part, which is printed over the page, which I wish to tackle as well. We want consultation by the local authority, which will take into account two main worries—frontagers' needs for road access and parking, which my hon. Friend mentioned, and "the safety, convenience, and amenity of residents on and adjacent to any proposed priority route."

I can be brief because it is even more self-evident that this amendment poses no difficulty for the Minister, and I anticipate that if he is feeling generous he may be able to accept it readily. The amendment specifically gives a duty to the local authority, not to the Government. Governments are always more willing to impose duties on local authorities than to accept duties imposed on themselves or on any officer or official appointed by them.

The amendment will make the 33 London boroughs have regard to management, guidance, the network plan and these extra requirements. As regards

"the safety, convenience, and amenity of residents on and adjacent to any proposed priority route",

will the Minister give an undertaking that the interests of people living on or adjacent to, for example, the A2, which is the Old Kent road and the New Kent road, will automatically be taken into account by the local authority? If there is any doubt about that because the Bill is not explicit, just as we encourage good planning practice by consulting people in the immediate neighbourhood of a planning application, we should surely encourage good traffic planning practice by requiring consultation with, and an obligation to have regard to the interests of, those living nearby.

The planning legislation does not always work well—not least because consultation is not obligatory, but an optional extra for local authorities. It is good practice, but they do not always follow that practice—sometimes intentionally, but more often accidentally. The amendment would impose that duty on them. It would be encouraging if my hon. Friend the Member for Newham, South and I could leave the debate knowing that an obligation would be placed on our local authorities to consult the relevant people.

I entirely understand that, if we are to have a red route—the Minister already knows my views about that—we cannot have a red route which suddenly has vehicles parked along it affording delivery to the frontages, or short-term parking for other reasons. It is a perpetual problem to reconcile the needs of those who have, over the years, lived next to or run a business on a main road. I am always receiving complaints. One example is a shop called Jay's on Lower road, Rotherhithe—an old family business which has been there for years. When there was very short-term parking outside—when something was being delivered, or someone with a disabled person's badge was leaving a vehicle—a second later, a traffic warden would appear out of the blue and either issue a ticket or, on occasion, do something worse, the vehicle would be taken further down the road and someone would be inconveniencing the traffic for a long time.

I have complained when goods vehicles have parked on roads which are needed for the through passage of traffic, reducing a two-lane road to a one-lane road. Neither my hon. Friend nor I would argue that the nature of a road is not changed by allowing indiscriminate parking at any time, by any vehicle, for any purpose. We are saying that consideration must be given to reconciling the needs of established users of the road with the needs of those who are using the road. I hope that the amendment will prove appealing.

Mr. Corbyn: I support the amendment, especially paragraph (d). The initial effect of the priority-route scheme thrust on the people of Islington is the difficulty experienced by people using local shops, especially the disabled. Pedestrians have had problems trying to cross the road, because of the increased traffic speeds in the central part of the Holloway road; I am not sure whether that applies to either the Archway or the Upper street end.

Mr. Chris Smith: That is true of most of Upper street: traffic has, on the whole, speeded up. My hon. Friend must also bear in mind the fact that the two bottlenecks at Holloway road and the Angel still exist at either end of Upper street, so there has not been massive benefit for the traffic using it. Between those two points, however, the speed of the traffic, and therefore the potential danger to pedestrians, is much greater.

Mr. Corbyn: I thank my hon. Friend. The concern that we have been expressing all along is that the next thing that will happen is that the Secretary of State will come along and take one look at Archway island, Highbury corner and the Angel and decide that we need a massive road widening scheme, which will increase the volume of traffic that can use the road and so create further problems.

The amendment refers to

"residents on and adjacent to any proposed priority route."

They should surely be borne in mind, but our experience so far is that they are not, and that traffic—including parking and delivery vehicles forced off the red route—tends to park on side streets as near as it can to the priority route. The traffic wardens and police have been told to direct their efforts towards the red route, and apparently the policing effect on the immediate side roads has been reduced to the extent that disabled persons' parking bays the council has had a considerable number installed—are now often occupied by vehicles delivering to shops and other nearby establishments. It is a serious problem.

I hope that the Minister will understand that much more thought needs to be given to the problem. It is no good merely rushing in with a red route, without the necessary local junction works that should go with it and without proper consideration of the needs of the local community. The message that is conveyed by that lack of consideration is that the one purpose of the red routes is to get a greater volume of traffic moving more rapidly through a highly built-up area which in fact needs less traffic, less noise, less pollution and greater mobility. The red route offers none of those things.

Mr. Chope: I have much sympathy with the points made by Opposition Members about the importance of the needs of frontagers and residents in relation to priority routes. Certainly their needs will be taken into account in the development of priority routes and in the implementation of the measures in accordance with approved local plans, but there is no need for them to be referred to specifically in the clause, as suggested in the amendment.

Those considerations, and other issues—such as safety and environmental questions, special help for buses and facilities for pedestrians and cyclists—will be fully discussed in the traffic management guidance produced by my right hon. and learned Friend the Secretary of State under clause 42. I know that the hon. Member for Newham, South (Mr. Spearing) is sceptical about whether my right hon. and learned Friend will ever look at the guidance that he issues, but the hon. Gentleman may be familiar with the traffic management guidance issued in April 1987 under paragraph 6 of schedule 5 to the Local Government Act 1985, following the demise of the GLC. I have not consulted the then Secretary of State, but I would be most surprised if that detailed document had not been examined by Transport Ministers.

The traffic management guidance, which my right hon. and learned Friend has established is up for consultation, will set out the Secretary of State's objectives in designating the priority routes and will provide the overall framework within which the traffic director and the local authorities must work. The traffic director will be required to pay regard to the guidance in preparing his network plan under clause 44 and the local authorities will be required to pay regard to both the guidance and the network plan in preparing their local plans under clause 45.

Mr. Simon Hughes: The Minister makes a reasonable point. Is he saying that the guidance that will be given by the Secretary of State will explicitly require a local authority, in preparing its plan, to have to regard to the two categories of user dealt with in the amendment? If so, what will be the sanction or remedy for those concerned if the local authority does not fulfil that requirement properly?

Mr. Chope: The same remedy will apply as applies under statutory law at the moment for any local authority that unreasonably ignores the representations made to it. The hon. Gentleman will be as familiar as any other hon. Member with the provisions for judicial review. Those are the remedies that will be available.

Mr. Hughes: What I want to know is whether the traffic management guidance will set out effectively the duties of the local authority. That is what we are trying to insert in the Bill. I cannot speak for the hon. Member for Newham, South (Mr. Spearing) in saying that, if we were to receive from the Government an undertaking that this requirement will be set out in a secondary document, we should at least know that the local authority would have to have regard to these categories. That would certainly help us, and I am sure that it would be of interest to the people who will ultimately be affected by the proposals.

11.30 pm

Mr. Chope: After the local plans have been drawn up, the interests about whom the hon. Gentleman is concerned will be taken into account when the orders giving effect to those plans are drafted. There will be consultation and, under existing legislation, there is provision for a public inquiry. Anyone who feels that his interests is ignored could have his say at that stage.

Mr. Simon Hughes: It would be helpful if, in due course, the Minister were to set out for the benefit of those who are interested—I am thinking especially of hon. Members representing London constituencies—what specific duties, by way of consultation with residents and businesses, it is envisaged a local authority will have.

Mr. Chope: I shall be happy to do what the hon. Gentleman suggests.

I hope that I have been able to allay some concern. The traffic management guidance will not be identical to, but will in a sense be based on, the guidance that was issued in 1987. Hon. Members who examine it will see that it goes into quite a lot of detail. I hope that, in those circumstances, the hon. Gentleman will feel able to withdraw his amendment.

Mr. Spearing: It seems that there are one or two misunderstandings. I do not think that I suggested—certainly I did not mean to suggest—that the Secretary of State for the Environment, or any other Minister, would

[Mr. Spearing]

not examine the guidelines for the red routes. My suggestion was that the Secretary of State would not be able to give particular orders the attention that those affected think they should have. I have told the story about the Secretary of State being informed that the Secretary of State was going to serve a notice in respect of his own property. Surely that amounts to a warning. I did not suggest that the guidelines would not be looked at. It is a question of detail. Because of the facts of time and politics, cases are unlikely to receive the attention that they deserve.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) is right to emphasise the question of residents. I have mentioned the cases of disabled people and children, but the hon. Gentleman brought to mind something that is even more important. The amendment that I drew up about a week ago referred to residents on and adjacent to any proposed priority route. The knock-on effect of a priority route will be significant for those whose properties are adjacent to it.

Let us consider the case of an existing priority route where certain parking is allowed, or where traffic wardens' discretion is exercised reasonably. Here, people will seek parking places, possibly for some distance, along the side roads—a matter that has been mentioned already. In an earlier intervention, I mentioned Barking road, which is not very far from the ground of West Ham United. Parking problems have arisen there already, although the situation generally is well organised by the police. But in such circumstances all sorts of things could happen. These red routes will cause a great deal of knock-on trouble. What about the question of property values, for instance?

Amenities include values, and I should imagine that the value of any residential or other property adjacent to or especially facing a red route, would take a dive in value almost immediately after the maps are published. Our exchanges may cause estate agents throughout London to seek copies of the map that was available to the Committee. I can imagine Tory Members receiving letters from their constituents, saying "The value of my property is going down. We did not know that these would be red routes, and they have reduced the value of our property by *x* per cent."

The Minister may consider that that is inevitable. However, to instruct local authorities to take the map into account but deprive them of it is quite extraordinary. The Minister's responses so far have been that the Government could include it in the guidelines for red routes, but he did not undertake that the same considerations—virtually the words in the amendment—would be included in the Bill. In response to the hon. Member for Southwark and Bermondsey, the Minister carefully and skilfully avoided making that commitment. I am surprised, because he is only taking it into account. If he does not include it in the new guidelines, he is implying that the Government cannot or should not take it into account, which centralises the matter even more.

The Minister has taken some matters on board, and I hope that, before the Bill is considered in another place, he will publish the draft guidelines for red routes. He referred to guidance that was published earlier for traffic management after the abolition of the Greater London Council. Why, therefore, can he not publish the Government's objectives? After all, they are referred to in the Bill and will be very important, I hope that those who consider the Bill in another place will take note of those objectives, guidance notes or statutory guidance. Can they really consider the issue before the objectives are published? Had I been on the Committee, I should have wanted the draft objectives and guidance to be available because, without them, the merits of earlier clauses could not have been properly assessed.

The Minister has taken account of some of those matters. He may wish to negative the amendment, but I feel strongly enough not to withdraw it, in the hope that the matter will be taken up in another place.

Amendment negatived.

Clause 45

DUTY OF LONDON AUTHORITIES TO PREPARE LOCAL PLANS

Mr. Chope: I beg to move amendment No. 17, in page 41, line 18, leave out

'on the priority routes to which their plan relates'.

Mr. Deputy Speaker: With this, it will be convenient to take Government amendments Nos. 18 to 22.

Mr. Chope: The amendment reflects the Government's willingness to listen to the Opposition's representations. I said that I would consider one particular issue that they raised in Committee, and the amendment reflects our acceptance of their arguments on that occasion.

Ms. Ruddock: In a few small ways, we have had some victories in Committee. We are grateful to the Minister for bringing the amendments forward now.

Amendment agreed to.

Amendment made: No. 18, in page 41, line 19, after 'exercise', insert

'on or in relation to the priority routes to which their plan relates'.—*[Mr. Chope.]*

Clause 46

THE DIRECTOR'S TRUNK ROAD LOCAL PLANS

Amendments made: No. 19, in page 43, line 4, leave out 'on the priority routes to which their plan relates'.

No. 20, in line 5, after 'exercise', insert

'on or in relation to the priority routes to which their plan relates'.—*[Mr. Chope.]*

Clause 47

THE MINISTER'S TRUNK ROAD LOCAL PLANS

Amendments made: No. 21, in page 44, line 14, leave out 'on the priority routes to which their plan relates'.

No. 22, in page 44, line 15, after 'exercise', insert

'on or in relation to the priority routes to which their plan relates'.—*[Mr. Chope.]*

Mr. Corbyn: I beg to move amendment No. 14, in page 45, line 1, leave out from 'any' to 'debt' in line 38 and insert

'The Secretary of State may, by order subject to negative resolution of either House of Parliament, require any reasonable expenses incurred by him in the exercise of his powers under subsection (7) above to be paid to him by the London authority.'.

The amendment is important. One of the more disquieting features of the Bill is that it gives the traffic commissioner powers over local authorities. In addition, it gives him powers to override the wishes of the local

authorities to do works in their districts and then charges them for it. The amendment seeks to allow some parliamentary scrutiny of what is taking place.

As I said earlier, the Bill provides for significant centralisation of power away from local authorities towards central Government. We seek to provide that the Secretary of State may,

"by order subject to negative resolution of either House of Parliament, require any reasonable expenses incurred by him in the exercise of his powers under subsection (7) above to be paid to him by the London authority."

That would allow parliamentary consent for what is an invasion of the prerogative of local authorities in local traffic management schemes. We tabled the amendment for that purpose.

The Minister did not make it clear in Committee why such centralisation was necessary. He is unable to point to an example of any London local authority which is unwilling to discuss the problems of traffic passing through its district. Local authorities have a different philosophy from the Secretary of State, in that the majority of Labour-controlled authorities believe that London would be better off if there were less traffic rather than more. We believe that there should be a traffic authority—subject to democratic election—for London as a whole. The Bill does not propose that, and we are not likely to get it from any legislation stemming from the Bill.

We can expect the Secretary of State to be answerable to Parliament for what charges he places on local authorities; otherwise, an unelected official might disagree with a local authority. The Secretary of State would hear the dispute between the local authority and that official and might decide in favour of the traffic director for London. A substantial bill would come to the local authority, which might be charge-capped and not able to divert resources to traffic works. It might have decided that its priorities lay elsewhere. There should at least be parliamentary scrutiny of such action.

Mr. Chope: I cannot accept the hon. Gentleman's argument. The intervention by the Secretary of State, under the provisions of the clause, would be part of a last resort, when all attempts at persuasion had failed. The hon. Gentleman said that it was impossible to quote a precedent for that—obviously it is at present, because we have not started to implement the scheme. But if what is happening in Islington is indicative of what might happen in future, who can say whether such powers will be necessary? I hope that they will not be, but if they are needed, it is reasonable that the Secretary of State should be able to recover his administrative expenses from local authorities. It is not appropriate for him to have to present an account in the form of a statutory instrument to be laid before Parliament.

Mr. Corbyn: It is all very well for the Minister to say that, but we live in a country where the expenditure of local authorities, particularly in London, is under the tight control of central Government policies and directives. In reality, we have a process of fining local authorities for alleged non-co-operation in the implementation of the priority route schemes by the Secretary of State, who cannot be brought to Parliament to account for his actions. That is totally unsatisfactory.

I should have thought that the Minister would recognise that local authorities have a legitimate role in traffic planning and management in London. If they do not, perhaps he should be honest and say that he wishes to take over all traffic management and planning in London, rather than using the stealthy approach and taking over only priority route schemes. That appears to be the logic of his answer.

Amendment negatived.

Clause 54

THE SECRETARY OF STATE'S PARKING GUIDANCE

Amendments made: No. 46, in page 49, line 30, after second 'to' insert 'those authorities'.

No. 47, in page 49, line 38, after 'issuing' insert 'or varying'.

No. 48, in page 49, line 41, after 'Transport' insert—'(bb) such associations of London authorities (if any) as he thinks appropriate'.—*[Mr. Chope.]*

Clause 62

REPRESENTATIONS IN RELATION TO IMMOBILISATION OF VEHICLES UNDER SECTION 60

Amendments made: No. 49, in page 54, line 41, leave out 'made' and insert 'received by them'.

No. 50, in page 54, line 45, leave out '42' and insert '56'.

No. 51, in page 55, line 13, leave out '42' and insert '56'.—*[Mr. Chope.]*

Clause 63

APPOINTMENT OF PARKING ADJUDICATORS BY JOINT COMMITTEE OF THE LONDON AUTHORITIES

11.45 pm

Mr. Spearing: I beg to move amendment No. 42, in page 55, line 46, leave out 'this part' and insert 'sections 54-65'.

We now move from the controversial subject of red routes to the equally—if not more—controversial subject of parking. Clauses 54 to 65 are labelled "Parking in London" and contain yet another series of guidelines on parking for local authorities, which are to be issued by the Secretary of State. The authorities will have to draw up a series of proposals, and the guidelines cover almost seven pages of the Bill. I am sure that they were discussed at great length in Committee. Following your guidance, Mr. Deputy Speaker, I will not venture into that, although I am sure that a fascinating description of the guidelines would be in order, as they are about to descend on unsuspecting Londoners.

The guidelines on parking tell local authorities what to do. I doubt that they relate only to red routes, but perhaps the Minister will clarify that. As I understand them, they apply to parking in general and therefore subsume parking in or around red routes or areas affected by red routes.

It is curious that the guidelines involve appeals, new bodies and a vast amount of bureaucracy, which is extraordinary coming from a party that does not believe in that sort of thing.

Clause 63 states that a joint committee of London authorities shall be set up to appoint parking adjudicators. Paragraph 3(a) relates to the amendment. It states that the London authorities shall,

"with the consent of the Lord Chancellor, appoint persons to act as parking adjudicators for the purposes of this Part of this Act".

[Mr. Spearing]

Having carried out a great deal of traffic management through the red routes, the Secretary of State seeks to take complete control of parking guidance. That puts in the shade something that he said earlier today about the local authority authorities taking control of parking. If they have to deal with parking under his guidance, it may differ from what some of us were led to believe earlier.

Not content with that, the Bill states that the local authorities will name the persons who, with the Lord Chancellor's consent, will be the adjudicators. Their duties will include responsibility for parking matters, including the costs. The rules that they will have to follow will be rather complicated.

I can imagine what will happen. When there is a hassle, someone will ask who appointed the adjudicators. The Minister will be able to say that the local authorities appointed them. As has happened in so many other spheres, the Government's responsibilities will be loaded on to local authorities.

I suggest that it would be more appropriate if the proposals were not in the clauses that deal with red routes, but in clauses 54 to 65, because they deal with matters refer to parking in general. It seems that the proposals refer back to the earlier clauses which relate to red routes. That suggests that the adjudicators may also have a great deal of power over the red routes.

I hope that the Minister will clarify the matter. Have the adjudicators any functions in respect of the red routes in clauses before clause 54, or are they concerned only in duties and obligations in clause 54 onwards? If the answer is the latter, I suggest that the Bill should say so. If the former, can the Minister tell us what role the adjudicators will have in respect of red routes? They are yet another group of persons amid a plethora of local authorities, directors, Ministers and guidance with which we shall have to grapple.

Mr. Chope: The adjudicators will be concerned with the latter of the two categories referred to by the hon. Member for Newham, South (Mr. Spearing). However, it is fair to say that, if there is a permitted parking area on a red route, it will come under the local authority parking regime to which the Bill refers. The adjudicators will be able to adjudicate on grievances in relation to the penalty for overstaying on that parking area.

I understand that the hon. Member for Newham, South is trying to be helpful and is suggesting a drafting improvement. I am advised that the intention is set out clearly in the Bill as drafted. However, in the light of what the hon. Gentleman has said, I will look to see whether any benefit could be gained from further clarification.

Mr. Spearing: By leave of the House, Mr. Deputy Speaker. I am grateful for the clarification, but it makes my worries even greater. The Minister has confirmed that, where parking is allowed on red routes—perhaps where the roads widen or where there is a facility for parking that does not interfere with the traffic flow—and there are disputes, grievances or matters coming within their jurisdiction, the adjudicators will have statutory powers. That is the present position.

Yet again, therefore, we confirm the all-to-frequent position—dare I mention the poll tax—in which authoritarian legislation from the centre has to be administered. In this case, it will be administered by semi-judicial fiat adjudicators who are appointed by the hapless local authorities. In an earlier debate, it was said that the local authorities cannot even take into account the proper—in my interpretation—interests of frontages, both residential and otherwise.

Although I understand why the Minister has clarified the matter, it shows only that the scheme will cause a great deal of trouble in London and to the Government. I cannot push the amendment, so I thank the Minister for his clarification and tell him that it will cause him and everyone else an awful lot of trouble.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 64

FIXING OF CERTAIN PARKING AND OTHER CHARGES FOR LONDON

Amendment made: No. 23, in page 58, line 15, leave out subsection (8).—*[Mr. Chope.]*

Clause 69

INTERPRETATION OF PART II

Amendment made: In page 60, line 31, at end insert—

'(3A) In determining, for the purposes of any provision of this Part of this Act, whether a penalty charge has been paid before the end of a particular period, it shall be taken to be paid when it is received by the London authority concerned.—*[Mr. Chope.]*

Schedule 2

AMENDMENT TO SCHEDULE 2 TO THE ROAD TRAFFIC OFFENDERS ACT 1988

Ms. Ruddock: I beg to move Amendment No. 15, in page 66, line 10, column 4, leave out '3' and insert '4'.

The effect of the amendment is to increase the penalty for driving after making a false declaration about physical fitness, from a level 3 fine to a level 4 fine. Section 92 of the Road Traffic Act 1988 deals with the physical fitness of drivers. An applicant for a driving licence must disclose in his or her application whether he or she is suffering or has ever suffered from certain disabilities. The Secretary of State must refuse a licence to an applicant who is suffering from a relevant disability. The disabilities, which are prescribed by regulation, include epilepsy, severe mental handicap, liability to sudden attacks of giddiness or fainting and acute short sight.

Clause 16(1) amends that section of the 1988 Act by inserting a new subsection, making it an offence to drive a vehicle if the person involved knows that the declaration about physical fitness in his or her application for a driving licence is false. Paragraph 21 of schedule 2 introduces a consequential amendment to schedule 2 to the Road Traffic Offenders Act 1988, setting the penalty for the new offence at a level 3 fine.

This is an important area of road traffic law because the condition of the driver of a vehicle is as important as the condition of the vehicle. It is not simply selfish or stupid to drive when medically unfit to do so, it is also potentially dangerous to other road users.

The amendment would increase the penalty for that offence from a level 3 to a level 4 fine. It is important primarily as a way of highlighting the importance of the

offence. The amendment would also bring the penalty more into line with the penalty for driving after a licence has been refused or revoked under section 92 of the 1988 Act, which is six months imprisonment or a level 5 fine.

It is, however, important to add that the amendment deals with only one aspect of the problem: to ensure that people who are not medically fit to drive do not do so and therefore do not create a road safety risk for other road users. Equally important—and in the current financial climate more difficult—is the need to ensure that alternative forms of transport are available through concessionary fare schemes and the availability of services designed specifically to help people with disabilities so that they are not tempted to continue to drive and to break the law. I hope that the Minister will accept this simple amendment, which will increase safety on our roads.

Mr. Chope: I am happy to accept the amendment.

Amendment agreed to.

Amendment proposed: No. 34. in page 66 line 48 after second 'accident)', insert '(a)'.—*[Mr. Chope.]*

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 16, in page 66, line 48 leave out from 'in' to end off line 49 and insert

'columns 3 and 4 there shall be substituted—

(a) Summarily	(a) six months or level 5 on the standard scale or both.
(b) On indictment	(b) "two years or a fine or both".'.

Government amendment No. 35.

Ms. Ruddock: I want to refer to amendment No. 16. The act of failing to report an accident can have serious consequences. It may mean that a casualty is not dealt with as speedily as would otherwise be the case. It may mean that valuable evidence, in terms of either the state of the driver or the condition of the vehicle is lost, and it creates additional work for the police as a result of having to trace the driver and establish the circumstances surroundingg the incident. In short, it is an extremely serious offence which can have costly implications, both for the individuals concerned and the police.

In certain circumstances—for example, where a driver is over the legal alcohol limit— there may be a temptation to run. It is essential that in such cases the driver is in a position where the consequences of running are likely to be worse than not running.

Amendment No. 16 would increase the maximum penalty for failure to stop and report an accident to two years imprisonment or a fine, or both. The amendment would further provide different maximum penalties for the two different modes of prosecution.

Mr. Waller: Eight or so hours ago, I paid tribute to my hon. Friend the Minister for listening to what had been said in Committee and for tabling an appropriate new clause. I pay tribute to my hon. Friend once more because, following what I said in Committee, he has moved an amendment that goes a long way towards implementing what I suggested.

The recommendations of Dr. North were not invariably correct. He failed to take account of varying degrees of culpability attached to the offence of failing to stop to report an accident. The Magistrates Association was unhappy with the more restrictive discretion accorded to courts. I welcome the fact that that has been recognised and that the discretion that will now be available to courts in terms of the number of penalty points that they decide to award in individual cases will be much greater. That is a great improvement, and it should be welcomed. That is a tribute to my hon. Friend the Minister.

Mr. Chope: I am grateful to my hon. Friend the Member for Keighley (Mr. Waller) for his comments. I cannot accept amendment No. 16, suggested by the hon. Member for Lewisham, Deptford (Ms. Ruddock), because it goes too far in increasing the maximum penalty to as much as two years' imprisonment. I hope that the House will reject that amendment.

Amendment agreed to.

Amendments made: No. 35, in page 66, line 49 at end insert

'and

(b) in column 7 for "8-10" there shall be substituted "5-10".'.

No. 36, in page 67, leave out line 4 and insert—

'Discretionary, if committed otherwise than by virtue of subsection (5) or (11).	Obligatory, if committed otherwise than by virtue of subsection (5) or (11).	3'

—*[Mr. Chope.]*

Schedule 3

Minor and consequential amendments

Amendments made: No. 92, in page 70, line 39, at end insert—

'. In section 9 of the Road Traffic Regulation Act 1984 (experimental traffic orders) in subsection (1)(b) for the words "and 84" there shall be substituted the words "and 84(1)(a) or (b)".'

No. 93, in page 70, line 40, leave out 'the Road Traffic Regulation Act 1984' and insert 'that Act'.

No. 95, in page 71, line 19, at end insert—

'. In paragraph 13 of Schedule 9 to that Act (consent of Secretary of State before local authority make certain orders), after sub-paragraph (1)(d)(ii) there shall be inserted—

"(iii) a provision imposing a prohibition by virtue of paragraph (c) of that subsection, or".'.

No. 37, in page 74, line 9 leave out from beginning to end of line 18.—*[Mr. Chope.]*

Amendments made: No. 96, in page 77, line 32, at end insert—

'(2) In section 2(5) of that Act (disapplication of section 1(1) in Scotland relating to an offence under section 2 of the Road Traffic Act 1988) for the word "(2)" there shall be substituted the words "24(1)".'.

No. 97, in page 81, line 43, leave out 'In'.

No. 98, in page 81, line 45, after '35)' insert 'shall be amended as follows.

"(2) In subsection (1), after the word "where", there shall be inserted the words "in England and Wales".

(3)'.

No. 99, in page 82, line 21 leave out 'In'.

No. 100, in page 82, line 21 after '(interpretation)', insert 'shall be amended as follows.

(2) After the definition of "authorised person" there shall be inserted—

"'chief constable' means, in Scotland in relation to any conditional offer, the chief constable for the area in which the conditional offer has been issued".

(3)' —*[Lord James Douglas-Hamilton.]*

Schedule 5

PARKING PENALTIES

Amendment made: No. 25, in page 87, line 1 leave out 'made' and insert 'received by them'.—*[Lord James Douglas-Hamilton.]*

Schedule 6

MINOR AND CONSEQUENTIAL AMENDMENTS IN RELATION TO LONDON

Amendments made: No. 26, in page 90, line 18 at end insert

'in consequence of extraordinary circumstances'.—*[Mr. Chope.]*

No. 52, in page 91, line 30 at end insert—

'The New Roads and Street Works Act 1991

. In section 60 of the New Roads and Street Works Act 1991 (traffic-sensitive streets), after subsection (3) there shall be added—

"(4) Where a London authority are asked by the Traffic Director for London to designate a street as a traffic-sensitive street and the authority decline to do so, the Director may appeal to the Secretary of State who may direct that the street be designated.

In this subsection 'London authority' and 'priority route' have the same meanings as in Part II of the Road Traffic Act 1991.".'.—*[Lords James Douglas-Hamilton.]*

Schedule 7

REPEALS

Amendments made: No. 38, in page 93, line 41, column 3, at end insert—

	'Section 75(a)(iii).
	In section 75(6), paragraph (c) and the word "or" immediately preceding it.
	Section 75(8).'.

No. 101, in page 94, line 18, at end insert—

	'Section 54(8).
	Section 59(6).
	Section 60.'

—*[Lord James Douglas-Hamilton.]*

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Chope.]*

12.1 am

Mr. Corbyn: The Committee and Report stages of the Bill have been fascinating. I wish to put three brief points on the record. First, like everyone else, I welcome any methods that improve road safety and the safety of road users, be they in a car, pedestrians, cyclists or anything else. However, the Bill is, in many ways, a missed opportunity. We in this country are in danger of presiding over an enormous increase in the amount of road traffic when we should be considering alternative means of transport and the environmental effects of the continually increasing use of private motor cars. We should be especially concerned about the effects of that on our cities.

Secondly, part II contains a major extension of central Government powers over those of local authorities, with the introduction of the priority route scheme. That will not enhance safety; it will increase the levels of noise, dust and gas pollution in our inner city areas. The Government will take powers away from the local authorities which badly need them and will introduce a traffic director for London, with whom traffic commissioners will work.

Thirdly, if the Bill is enacted—I suspect that it will be—the Government will achieve the principle of taking many traffic planning measures away from local authorities in London, and exactly the same could be done in other parts of the country. We are moving to a ridiculously centralised state where very localised traffic matters can be decided by the Secretary of State for Transport and charged to the local authority. The principle of reducing the number of cars and the amount of traffic that enters the central area of London, or any other major city if the provisions are extended to other cities, has been ignored.

The people of London have made their views clear when opposing motorway building schemes and the introduction of the priority route scheme. They do not wish to see more traffic in the inner urban area. They want less. They want a cleaner city, with fewer cars and better public transport. I wish that the Bill met the needs of Londoners in that respect. Tragically, I fear that it does not.

12.3 am

Sir Philip Goodhart (Beckenham): By legalising speed cameras and red light cameras, part I should make a major contribution to the improvement of road safety. Part II, and the red route scheme, should make a major contribution to easing traffic congestion in the capital. I am sorry that the Opposition have been so churlish in their approach to the Bill's efforts to ease congestion and that they seem anxious to let traffic jams continue.

12.4 am

Mr. Spearing: This should not have been a matter for party controversy. Traffic in London has been a continuing concern of all its citizens, of whatever party, throughout the past century. The Bill will not ease the major causes of congestion because they are not even logged or known by the Department of Transport, which can be proved by the fact that it could not answer certain questions that I have asked over the past two or three years. The Bill might increase traffic flow marginally on certain routes, but it will do so at great cost. It is largely impractical. It will take considerable resources in person power. It is bureaucratic to an almost unbelievable degree. The statute is complex and will cause a great deal of difficulty, even to lawyers.

The tone of part II of the Bill is authoritarian. It imposes central will on local government and even prevents local authorities from properly protecting the interests of people within their areas. It gives power to central Government to an unprecedented and almost unimaginable degree over matters which are certainly local government matters in London. No Government, of whatever quality, power or party, would seek to impose the measures in the Bill which affect London or Birmingham, Cardiff or Edinburgh.

Part II of the Bill is thoroughly bad and will have to be revised. I hope that it rebounds on its perpetrators.

12.6 am

Mr. Peter Bottomley: The hon. Member for Newham, South (Mr. Spearing) has paid his tribute to the parliamentary draftsmen. Part I of the Bill is a culmination of the work of my right hon. Friend the Member for Wallasey (Mrs. Chalker), whom I am pleased to see in the Chamber, with the interdepartmental committee of officials and the establishment of the North committee. We should also remember Judge Frank Blennerhasset, who more than 20 years ago got us moving on some of the issues which are important for cutting casualties.

I hope that part I gets through the House of Lords without serious amendment but possibly with improvements. The Parliamentary Advisory Council on Transport Safety amendment, which was not selected, was important. It dealt with retesting after disqualification for drink-driving. I hope that the House of Lords will consider the measure. When this legislation is out of the way, I hope that the House and the Government, together with the voluntary bodies among whom PACTS and the Campaign Against Drinking and Driving, will consider other ways in which we can cut casualties.

It may not be possible to cut minor casualties by a third by the year 2000, but it ought still to be regarded as a heavy responsibility to cut the number of deaths and serious injuries by a third. That will require a combination of vehicle measures, such as pedestrian-friendly car fronts, and a method of dealing with our appalling record of casualties among children, which is caused by a mixture of problems with our road layout, education and parental control and chaperonage of young children. I hope that when the Bill becomes an Act we shall see the same effort put into those measures as has put into polishing up the Bill presented to the House last year.

12.7 am

Mr. Fearn: I have sat quiet for the past two hours, although for the first six hours I was not quiet. My party gives almost wholehearted support to the intentions behind the majority of the measures contained in the first part of the Bill. Some of the clauses could have been in line with the recommendations of the North report. As I said earlier, I am disappointed that Conservative Members were not allowed a free vote on random breath testing. I would also have liked hon. Members to be given the opportunity to debate the measures on re-testing through an extended driving test of drivers disqualified as a result of alcohol-related offences.

On the whole, the measures in part I of the Bill should make our roads much safer. I cannot give the same support to part II. The concept of red routes is misguided and the appointment of a traffic director for London, with such powers as the Bill confers on him, is undemocratic. Local authorities have lost many of their powers under the Government, and the appointment of a traffic director, or one-man quango, weakens their role even further. However, my party will support the Bill in the interests of road safety.

The Committee was a good one and I congratulate the chairman, who was excellent and very expeditious. I am disappointed that the Minister did not accept any of the amendments that I tabled on behalf of the Joint Committee on Mobility of the Disabled and even more disappointed that the two amendments dealing with the disabled which I tabled were not selected today. The needs of disabled people should not be forgotten. Unfortunately time and time again they are. Disabled people are not catered for adequately on the public transport system. Often the private motor vehicle is their only means of travel. I hope that amendments to ensure that their needs are taken into account will be tabled in the other place.

Red routes are not the answer to London's traffic problems. What is needed is a full Government commitment to resource the whole London transport system, so that it is operated in an integrated way. That is what the Government should be considering, not red routes.

12.9 am

Ms. Ruddock: When we began the debates on the Bill, we said that there was much good in it, and that we would co-operate in Committee and hope to improve some parts of it. We were pleased to support new driving offences and construction and use provisions, all of which were designed to improve safety on our roads. Indeed, we had a pleasant Committee in which there was much consultation and co-operation.

Tonight's debate has been exceedingly disappointing in that a major opportunity to add to road safety and to reduce death and injury due to drink driving has been lost. We regret very much that there was not a free vote on the Government side, because we understand that a recent survey of hon. Members gave clear testimony to the fact that a majority of hon. Members, voting according to conscience, would have supported the new clause on random breath testing.

Some hon. Members seemed to say that it was not worth allocating extra resources to police forces to deal with the problem. I said in the debate, and I repeat, that if these were considered to be 800 murders, they would be a priority for the police. There are relatives who feel that such grave offences have been committed——

Mr. Deputy Speaker: Order. The hon. Lady must not seek to reopen a debate on which the House has reached a conclusion.

Ms. Ruddock: I accept your ruling, Mr. Deputy Speaker. I conclude that part of my speech by reiterating our regret that an opportunity has been lost.

I said at the outset that part II of the Bill would be very contentious. It has proved to be nothing less. It is significant that hon. Members representing constituencies in London boroughs affected by the pilot scheme are receiving from their constituents grave reservations and protests about the schemes that are to be brought forward under the Bill as so-called priority routes. The traffic director will be nothing less than a traffic dictator. There is no Opposition support for the continuation of traffic jams, as the hon. Member for Beckenham (Sir P. Goodhart) suggested. We seek a variety of measures to deal with traffic jams. No one wants more than we do a capital city working and moving in a way which it does not do at present.

To introduce piecemeal measures, as in the Bill, and to call them plans for priority routes is no solution to London's problems. It puts at the forefront the priority of those who seek to rush through certain areas rather than the proper priority—the need for goods and for those who live in those areas to have access and movement on the terms which they desire.

[Ms. Ruddock]

There is no substitute for strategic planning. That is not available to us in part II. These debates will not go away. We will return to them again and again until the Government bring forward a Bill that can truly deal with the major problems that the capital city faces and which includes a strategic plan giving priority to the movement of people and goods. That means putting public transport before the private vehicle.

I regret the lost opportunities of tonight. We shall not be pressing the Third Reading to a vote, but we shall, as I said, undoubtedly return to these matters in the interests of democracy and the people of the capital city.

Mr. Chope: I regret that the hon. Member for Lewisham, Deptford (Ms. Ruddock) introduced a jaundiced note in her remarks because the measure was a good Bill when it arrived for Second Reading and it is even better now, having had detailed consideration in Committee and on Report. It will command the support of the people of London, who are crying out for action to reduce congestion on the roads of the city. The Government have the courage and commitment to do something about that.

I pay tribute to my hon. Friend the Member for Beckenham (Sir P. Goodhart). Indeed, we could call them the Goodhart routes. Perhaps an amendment to that effect will be introduced in another place. This is a good Bill and I thank hon. Members who participated in debating it. I hope that it will be dealt with speedily in the other place so that it may soon reach the statute book.

Bill read the Third time, and passed.

Lomé Convention

[Relevant documents: European Community Documents Nos. 8127/90 on conclusion of the Fourth ACP-EEC Lomé Convention, 4590/90 on transitional measures between the Third and Fourth Lomé Conventions, 5197/90 on the financing and administration of Community aid under the Fourth Lomé Convention, 6205/90 on the balance sheets and accounts of the European Development Funds for 1989 and 6704/90 on the operation of the STABEX system in 1989.]

Mr. Deputy Speaker (Mr. Harold Walker): Mrs. Lynda Chalker.

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Deputy Speaker. The Order Paper states that this instrument is subject to the qualification:

"The Joint Committee on Statutory Instruments has not yet completed its consideration of the Instrument."

That consideration was completed this afternoon. We have made a report to the House. Both the report and the two memoranda from the Department are available in the Vote Office to help the House to complete its consideration of the matter.

Mr. Deputy Speaker: I am grateful to the hon. Member for that information and advice.

12.16 am

The Minister for Overseas Development (Mrs. Lynda Chalker): I beg to move,

That the draft European Communities (Definition of Treaties) (Fourth ACP-EEC Convention of Lomé) Order 1991, which was laid before this House on 29th January, be approved.

The fourth ACP-EEC convention, or Lomé IV as it is commonly known, was signed on 15 December 1989. The convention governs development and trade relations between the Community and 69 developing countries described as the African Caribbean and Pacific, or ACP, group of developing countries, which includes 33 of the 43 least developed nations as defined by the United Nations.

The draft Order in Council to which the motion refers allows the convention's provisions to be effected in United Kingdom law. This in turn opens the way for ratification of the convention by the United Kingdom. The convention takes force when ratified by all EC member states and two thirds of the ACP countries, and concluded by the Community.

This debate provides an opportunity to consider other Community documents, and I am grateful to the hon. Member for Bradford, South (Mr. Cryer) for his point of order. These are the internal financing agreement, 5197/90, to which I shall return, the accounts of the European development fund, 6205/90, a report on the question of STABEX, 6704/90, the transitional measures, 4590/90, bridging the gap between the third and fourth conventions and conclusion by the Community of the fourth convention, 8127/90.

Because of the wide scope of Lomé and the limited time available, I shall not address the Community's other aid instruments outside Lomé, such as programmes for Asia and Latin America and the Mediterranean, or food or emergency aid. That would be outside the debate. But I wish to comment further on one of the other Community documents to which I referred. The draft Order in Council

specifying the Lomé convention followed established practice by also specifying the internal financing agreement, document 5197.

As the hon. Member for Bradford, South has said, the Joint Committee on Statutory Instruments met today and reported that it considers that no useful purpose is served by specification of the agreement. The Joint Committee's report draws this to the special attention of both Houses. It is important to comment on that.

I agree with the Joint Committee that this specification is not legally essential. However, politically, this specification is an appropriate method of bringing the agreement before the House in the context of a debate on the whole series of instruments relating to the Lomé convention. This financial commitment, arising from our obligations under the convention, will this year consume 9 per cent. of my total aid budget. I needed to comment on that, and the easiest way to do so was to tag it with the other documents to be discussed.

Having been closely involved in the negotiations, I am especially pleased to present the order to the House. There is much to commend in the treaty, which builds on its predecessors. The convention is the cornerstone of the European Community's relationship with the developing world. The provisions cover a wide range of development instruments and the convention's scope is unique. The high degree of commitment is demonstrated by the improvements contained in Lomé IV.

Lomé represents a partnership between the EC and the developing world, and brings the expertise and resources of the Community and member states to bear on agreed development goals. Under Lomé IV, there are some changes in the structure and, to an extent, to the scope of the convention. Those changes will make it even more effective. The structural changes are in the duration and membership of the convention. Where previous treaties covered five-year periods, Lomé IV runs for 10 years. Increasing the duration to 10 years reflects the Community's commitment to the aims of Lomé and our will to provide a stable framework for all parties involved. Cutting the frequency of full-scale negotiations will better enable us all to focus effort on the tasks involved in implementing Lomé IV.

Within this time period, the money for the financial instruments contained in the convention will be provided under two separate five-year European development funds or EDFs. EDF VII covers the first five years. EDF VIII will be negotiated in 1994. This will also provide an opportunity to review the aid provisions of the Convention at the halfway stage.

I welcome the addition of Haiti and the Dominican Republic to the membership of the convention, but in agreeing to this, the United Kingdom insisted, initially with little support but later with the full agreement of our partners, that traditional sugar and banana interests of the Commonwealth Caribbean should not be put at risk by this enlargement.

Mr. John P. Smith (Vale of Glamorgan): Is the Minister concerned at the apparent attempts by the Dominican Republic to export large quantities of bananas to the United Kingdom? That is contrary to the existing Lomé convention.

Mrs. Chalker: I shall deal with that in winding up. We are carefully watching what is going on, and I know that the hon. Gentleman takes a special interest in the matter. As he knows from our discussions on the matter, I have fought hard to renew the protection provided for our traditional banana suppliers by earlier Lomé conventions, and I do not intend to give up now.

As the House may know, Namibia signed the treaty on 20 December last year. I know that the House shares my pleasure at that accession. I hope that the Community will help Namibia through the testing early stages of independence and democracy.

There are also important extensions to the scope of the convention. These include a new emphasis on the environment, on health and population planning, on participatory democracy and, above all, on human rights. We pressed hard on all these issues during the negotiations. I shall discuss these further after I have described the technical and financial aspects of the treaty.

The financial package for the next five years is covered by EDF VII, which was, as usual, settled outside the Community's budget procedures. There will be 10·8 billion ecu, or £7·5 billion, available for development assistance. Up to 1·2 billion ecu, or £0·84 billion may be added from the European investment bank's own resources. Those figures represent together a 46 per cent. increase compared with EDF VI. The British share of contributions to the 10·8 billion ecu EDF VII is fixed at 16·37 per cent. of the total. That amounts to 1·8 billion ecu. In sterling, our commitment is about £1·3 billion but the precise figure will depend on the exchange rate prevailing at the time that the funds are drawn down.

This is our largest ever single aid commitment and will represent an important part of the United Kingdom's total aid effort, which for 1991-92 will amount to some £1·9 billion. The funds will be spent and drawn down from the United Kingdom aid programme over a period of years as projects and programmes are implemented.

A particular feature of this convention is that 1·15 billion ecu has been earmarked from EDF VII to provide direct financial support for structural adjustment measures. This is to be used to support countries undertaking agreed economic reform programmes. In this way, the Community aid channel can lend its considerable weight to the work of the international financial institutions and the bilateral donors, including the member states, in this field. This will include in particular the special programme of assistance to debt-distressed low-income countries in sub-Saharan Africa; an effort co-ordinated by the World bank, to which we are giving very active bilateral support.

The Government believe that, if developing countries are to make sustainable economic and social progress, they need to participate as fully as possible in the world economy. That means encouraging trade, investment and private sector development. We therefore pressed hard during the internal EC negotiations for provisions which enable support to be given to the promotion of private sector activity. We believe that a healthy private sector is essential for the economic progress of all the ACP states. There, the role of the EIB is important, as its tasks include indentifying and channelling funds to efficient private sector activities.

It is, of course, of paramount importance that the very substantial resources involved are used effectively. The Commission and the EIB manage the funds in close collaboration with representatives of the member states in the EDF committee which approves all significant

[Mrs. Chalker]

spending proposals. EDF VIII in the Commission applies policies and criteria shaped by the discussions of the EDF committee and developed by the Commission. The Development Council of EC Ministers meets twice a year to decide on overall policy issues. The joint ACP-EC Council of Ministers provides a forum for policy dialogue between Ministers of the EC and the developing world.

Lomé IV looks to bolster the trade concessions enjoyed by the ACP states. The new convention retains all the generous provisions of its predecessor for ACP access to the EC market. Some further improvements have proved possible, and the United Kingdom, with other like-minded member states, pressed very hard indeed for those advances.

All ACP industrial products other than rum are already admitted duty-free. The changes to the rules of origin, which define what counts as an ACP product, will provide greater access for ACP goods. Such technical changes hardly make thrilling headlines, but they serve to stimulate processing and manufacturing industries, and help diversify the economies of ACP states. Some agricultural products are still covered by tariff or quota restrictions. Many of these are dismantled or reduced by the new convention. Examples are molasses and rice, on which the access restrictions are reduced, and the inclusion of a number of horticultural products previously outside the benefits of the convention.

Two agricultural projects of major importance are sugar and bananas, which has already been mentioned. The sugar protocol of Lomé IV maintains the position of the separate agreement, which was not renegotiated in 1989. As I said, the United Kingdom fought hard to ensure that the new banana protocol maintained preferential access. We are awaiting proposals from the Commission for the arrangements to apply to bananas in the single market, after 1992. We shall stand by our commitments, as well as taking account of consumer interests, trade policy considerations and the competition and efficiency objectives of the single market.

In extending the scope of the convention, I attach special importance to the human rights provisions. For the first time in Lomé, and among the objectives and principles of the convention, is an explicit statement of the link between development and respect for human rights. I warmly commend this linkage to the House. It will be backed up by the provision of funds to activities aimed at fostering and nurturing good human rights practices. This is not a question of aid donors imposing their will on recipients. It is a partnership, in which both sides recognise what is needed for sustainable development. The convention allows us to promote human rights and participatory development, through the funding of specific projects—for example, by strengthening public administration.

I am pleased that the EDF funds will now be allocated to many more non-governmental and decentralised groups in the ACP countries. Assistance channelled in this way can encourage the growth of greater participation in society, and of more pluralism. These actions will also exemplify our desire to see ACP-EC partnerships established at all levels, and not merely between Government representatives and Commission staff.

I should also like to mention the associated Community provisions for aid to member states' dependent territories. The overseas countries and territories, as they are known, will enjoy the same general trade regime as the ACP countries. Where provisions differ, it is right that they are more generous towards our dependencies. In parallel with EDF VII, over the next five years they will be allocated 140 million ecu of aid, a 40 per cent. increase over Lomé III, supplemented by 25 million ecu from the EIB's own resources.

The Lomé convention is the cornerstone of Community relations with the developing world. It is the product of a major effort of discussion and negotiation between the ACP and the Community. To establish an effective aid and trade relationship between the Twelve and such a diverse group of 69 ACP states, is, as I know from many hours of detailed work, no easy task.

The prospects of the ACP states can only be enhanced by the kind of arrangement contained in Lomé IV—liberal trading provisions offering real opportunities for ACP states, and the largest single Community aid programme. For their part, the Government will continue to work hard and constructively to make Lomé work well.

I believe that Lomé IV represents an important advance in the Community's relationship with the developing world, and I am confident that the House will share my view.

12.32 am

Mrs. Ann Clwyd (Cynon Valley): The fourth Lomé convention was negotiated at a critical time. It was concluded at the end of a lost decade for development within the African, Caribbean and Pacific and other developing countries, and at the beginning of a decade which will see great change. The completion of the single market, the implementation of any Uruguay round agreement and the development of central and eastern Europe will have profound effects on the European Community and on our relations with ACP countries.

In assessing the Lomé IV convention, we must not only compare it with its predecessor, Lomé III, but measure it against the needs of ACP countries in a new international environment. It must also be assessed according to the original spirit of Lomé—the spirit of innovation of 1973, when the first contractual partnership was entered into between north and south, explicitly recognising the interlinking of air and trade.

As the Minister made clear, compared with Lomé III, Lomé IV contains some significant improvements. The emphasis on the environment and human rights and the commitment to pay earlier and greater attention to the needs of women are much welcomed.

The convention talks of "decentralised co-operation", which should bring non-governmental groups into the process of development in ACP countries. The decision that most Lomé funds will now be given as aid, not grants, is eminently sensible, given the ACP debt burden. At least this Lomé convention mentions the debt crisis. Both STABEX and SYSMIN have been considerably improved; strict rules of origin have been slightly relaxed, new products have been added, falling exports to non-EC countries will be taken into account and their funds have been increased. Of course, those changes must still be implemented effectively, and I hope that the Minister will tell us what work has been done in that respect.

Lomé funds are disbursed very slowly. Little more than 20 per cent. of the Lomé III budget had been spent at the end of its five-year duration in 1989. Lomé IV includes new areas of co-operation, but DG VIII has no new staff to implement them. Can the Minister tell us how local communities who were never really consulted in the drawing up of the convention will be encouraged to participate in its implementation, and whether respect for human rights will be used only to hold up aid in cases of gross abuse, or will it be brought to the fore in programming for all countries?

Doubling the life of the convention with the renewal of the financial protocol in five years ensures continuity and guarantees Europe's long-term commitment to the ACP countries. At least the amount of money available for those five years has increased in real terms in comparison with Lomé III. The real increase of 20 per cent. to 12 million ecu is considerably more than the United Kingdom Government's negotiating proposal of 10 million ecu. Fortunately, other member states prevented the Lomé budget from going the way of the UK suggestion; but, when we look at the desperate economic straits in which many ACP countries find themselves, we must ask again, "Is this enough?".

The 1980s saw economic decline and profound human suffering across much of the developing world. In sub-Saharan Africa, average incomes fell last year for the 12th year in a row. With ACP countries relying on non-oil commodities for 60 per cent. of their exports, and prices of those commodities at all-time lows, the main cause of the economic setback is clear: added to the trade crisis is the debt crisis, and the result is that citizens of ACP countries are now threatened with another lost decade.

We need an imaginative response from both north and south in the Lomé partnership, based on a generous commitment by the EC. In the words of the ACP negotiators:

"The fourth convention should be seen as a major instrument in arresting and reversing the economic crisis in ACP states."

But, in financial terms, the new agreement gives no more per person than the previous one.

The ACP states themselves requested 15·5 million ecu for Lomé IV, but the Commission imposed its own last-minute offer, with no room for negotiation. That "take it or leave it" approach to the financial package sadly indicates a lack of genuine dialogue throughout the Lomé IV negotiations. The first Lomé convention was unique in its emphasis on partnership between north and south, but in these nogotiations the EC Commission clearly dictated the pace.

Last week, we heard that the Lomé ideal of partnership had been extended to the World bank and the International Monetary Fund. Under the new structural adjustment fund of Lomé IV, World bank conditionality is replacing dialogue between the EC and the ACP. When quick disbursing aid for import support was first introduced in 1987, the Commission promised that it would develop a distinctive European policy on structural adjustment.

According to article 244 of Lomé IV, social conditions culture and regional differences would all be taken into account. Food security, environmental protection and other developmental objectives would be supported and "the right of ACP states to determine the direction of their development strategies and priorities shall be recognised and respected".

Yet only last week, the Commission announced that almost all the 1 million ecu structural adjustment fund would be handed over to the World bank's special assistance programme for sub-Saharan Africa. Countries without IMF or World bank programmes will not even be eligible for assistance. The ACP countries were not even consulted. That calls into question the whole basis of the Lomé partnership. How can article 244 possibly be implemented now?

The preamble to the first Lomé convention talked of changing the north-south relations that were hampering development, and of promoting a

"new, more just, and more balanced world order."

The ideal—that huge gaps in wealth and power could be transcended by a new north-south partnership based on mutual respect—was trail-blazing at the time. That ideal was conspicuously absent, however from the Lomé IV negotiations. There have been improvements, but no major innovations, since Lomé began. As the EC-NGO liaison committee put it,

"The spirit of Lomé is lost."

Lomé IV bans the export of hazardous and nuclear waste from EC countries, and we welcome that, but a real model of north-south co-operation would surely include an agreement on the activities of all multinationals in developing countries. It would tackle the debt crisis and the international trade regime. Lomé IV unfortunately does not match that task.

I will try to demonstrate that by considering the trade provisions of Lomé IV—in financial terms, 20 times more important to the ACP countries than aid. The increased concessions that the Minister described sound impressive, but let us put them into perspective. Some 75 per cent. of ACP exports are to the EC, so we are a vital trading partner. Only 10 per cent. of the exports receive preferential treatment under Lomé, and even those goods are still subject to many restrictions.

Most of the restrictions—particularly on sugar, beef and other essential exports—survived the Lomé IV negotiations intact. It is true that the beef quota was increased from 30,000 to 39,000 tonnes per year, but to put that, too, into perspective, that would do no more than supply Sunday lunches in a couple of major cities. The tomato quota, fixed at 2,000 tonnes, is equivalent to about three hours' worth of EC consumption. Increased quotas for milk, cheese and curd sound fine, but in fact less than one tenth of 1 per cent. of EC imports of those products come from ACP countries. They are simply not significant ACP exports.

The changes will not provide the secure market access needed to encourage investment in the ACP. The EC rejected ACP requests for a special programme to improve the processing, marketing, distribution and transport of commodities. The simple industrial products that the ACP countries can most easily produce continue to be blocked by strict rules on value added, rules of origin and the exclusion of "simple assembly" manufactured goods.

Lomé trade preferences have not been able to prevent the increasing marginalisation of ACP goods in EC imports over the past decade. Lomé certainly does not address the changes that can be expected in world trade over the next decade. For example, 1992 and the single market are fast approaching. There is no doubt that exports from some of the poorest ACP countries will be squeezed by the single market even if exports in developing countries benefit. Fifty thousand banana workers in the

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Windward Islands, and many more workers in the south Wales docks, will risk losing their livelihood if the preferential access given to their bananas disappears.

Mr. John P. Smith: Does my hon. Friend share my deep concern that Geest, this country's largest importer of bananas—currently importing two thirds of all the bananas consumed here—is contemplating moving from Barry, which is on the west of the United Kingdom, to the south of England? Does that not amount to a vote of no confidence in the maintenance of supplies from the Windward Islands?

Mrs. Clwyd: My hon. Friend makes a valid point. Recently, he and I visited Geest's headquarters at Barry docks in my hon. Friend's constituency, when the concern of management and unions was made very clear to us. That source of employment at Barry docks is vital to the employment prospects of south Wales as a whole, which in the past 10 years has suffered very severely as a result of Government policies. Clearly, this is a matter of great concern to the whole of south Wales and, in particular, to my hon. Friend.

The arrival of 1992, the Gulf crisis, changing relations between the EC and eastern Europe, and the Uruguay round, may all have severe effects on ACP trade. The EC should be ready with structural measures to mitigate those effects. Such measures are not covered in Lomé IV, but I hope that action can still be taken to secure them before Lomé V.

Proposals tabled in the Uruguay round will erode trade preferences offered under Lomé in respect of ACP exports. For example, according to an UNCTAD study published last July, the EC-Uruguay offer on liberalisation of trade in tropical products would cut imports from sub-Saharan Africa by about $120 million, with trade being diverted to Latin America and the industrialised countries. Worse, the Uruguay round proposals present a threat which goes to the heart of ACP development, and directly contradicts Lomé principles.

The United States and the Economic Community are moving towards a deal on agriculture that would require the Governments of all developing countries to reduce their support for food producers. Protecting farmers leads to surplus and food mountains in the Economic Community, but in developing countries it can make the crucial difference between having enough to eat and going hungry.

Governments need to protect their farmers from food dumping and to encourage agricultural investment. With 29 million people in 25 sub-Saharan countries starving right now, surely no one can fail to see the importance of encouraging food security. How can the Economic Community talk in Lomé conventions of improving food security in ACP countries, and then support GATT proposals which would outlaw the very Government measures needed to achieve that security?

Instead of making a mockery of its own proclamations of concern, the Economic Community should observe the Uruguay round mandate, which recognises the right of developing countries to special and differential treatment. It should commit itself to GATT rules that outlaw dumping and, as the Common Agricultural Policy reform debate intensifies yet again, should seek to improve the very ACP interests of which it talks so earnestly in the Lomé convention. Unless the Economic Community takes on board those wider economic issues, Lomé cannot possibly pretend to be the catalyst for re-ordering north-south relations.

At last, proposals to write off debt owed by ACP to the Economic Community under Lomé are being discussed, but still the Community opts out of taking a stronger role on international debt initiatives. It has not even established a joint framework for bilateral debt reduction. Commissioner Marin's proposal to cancel Lomé debts—about 1 per cent. of total ACP debt—is modest but important. It is a logical extension of the decision to switch to grants in Lomé IV and of the bilateral action of member Governments. Lomé IV commits the Economic Community to

"support ACP efforts to reverse the outflow of capital"

and

"contribute to the attenuation of debt burden."

This is a good place to start.

What position do the Government take? The Minister will probably say that the matter was discussed, has been referred and will be discussed again, just as she said that in reply to several parliamentary questions last year. It is shameful that hon. Members have to rely on the grapevine which operates between Brussels and London, often via other cities and organisations, to discover that the Government have been opposing Commissioner Marin's proposals to write off debts owed by the ACP.

Will the Minister provide details today of every vote—every nod and shake of the head—by United Kingdom Ministers and officials, on 5 November at the Development Council, on 3 to 6 December and 18 December at the General Affairs Council, and on 28 January at ECOFIN? If the Government's policy is defensible, there should be nothing to hide.

That is just one example of the lack of information and accountability from which all EC development policies suffer. We should not only debate the Lomé convention in Parliament once every five years—we should also debate the other half of EC aid to non-ACP countries. We should consider the reforms of food aid that are so desperately needed, the absurdly small amounts of aid which go to Asia, where the majority of the world's poor live, the need to improve monitoring and evaluation and to focus EC aid on the poor—a need made all too clear by the Court of Auditors report of 12 December 1990 on EC aid to Bangladesh. The report concluded:

"The allocation of more than half a billion ECU between 1976 and 1988 to Bangladesh has largely failed to achieve the general Community aid objective of improving the conditions of the least favoured inhabitants of developing countries."

The House will want to know as much as I do what action has been taken on that.

Clearly, the spirit of all EC aid—not only Lomé—needs to be revived. There is growing incompatibility between EC objectives relating to aid, trade, agriculture, central and eastern Europe, and the single market. Within Lomé IV, articles which give priority to long-term, self-reliant development compete with sections on short-term structural adjustment. The Lomé partnership is collapsing back into dominance and dependence.

The spirit of Lomé demands imagination and political will. The ACP states have seen the Community display those qualities in taking the lead in the reconstruction of central and eastern Europe. As a Senegalese delegate said during the Lomé negotiations, the Community has already

promised $60 per head in aid to Poland and Hungary over the next two years, but will provide only $9 for each ACP citizen over the five yers of Lomé IV. The exact levels and terms of that aid may be disputed, but the political point is clear: Europe must reinvigorate and restate its commitment to development in the south.

Lomé IV has been described as the best that can be achieved in the present tight circumstances. That analysis may well be right, but it is no reason to be complacent. The challenge for both the EC and the ACP is to rebuild the spirit of co-operation between north and south to transform the very circumstances which constrained our co-operation and their long-term sustainable development.

12.55 am

Mr. Bowen Wells (Hertford and Stortford): There is much to be welcomed in the Lomé IV agreement. I particularly want to congratulate my right hon. Friend the Minister on the very constructive role that she played in negotiating and enhancing it. All the parties to the agreement, including the hon. Member for Cynon Valley (Mrs. Clwyd), have always had many misgivings about some parts of it. We all want the agreement to succeed, to be more dynamic, imaginative and helpful to the poorest countries with which the EC has traditionally been associated for many centuries. It is for those reasons that we want to improve the agreement.

I believe that many of the suggestions given to the House by the hon. Member for Cynon Valley are worthy of much greater and deeper study and implementation. The EC's 40 per cent. increase on the last Lomé III agreement is not enough but it is nonetheless an improvement, but before the EC pats itself on the back for that, I remind the House that the Community, through subsidisation of agriculture, does the third world much harm. It reduces world prices for commodities such as sugar, which could be produced in the third world.

When 3 million tonnes of sugar are put on to the world market, that reduces the world price of sugar, and thus the incomes for many people in the third world. The same is true of palm oil. When we look around in the spring and see the yellow fields of rape seed oil throughout Europe, we know that that is due to subsidies and that the people who will suffer for it are those in the poor countries that produce palm oil. There are many other such examples where the CAP severely undermines the trading ability of third world countries.

We could improve the European development fund and its administration in two sectors: first, the co-ordination of the EC's efforts with its 12 member countries and their own bilateral programme; secondly, co-ordination with other international aid organisations. Like the hon. Member for Cynon Valley, I welcome the adherence to the structural adjustment policies of the international monetary fund and the World bank, but they need to be modified and rethought. I am cynical about adjustment policies because, very often, they simply allow payment for imports for which they cannnot otherwise obtain foreign exchange. That does not promote wealth-creating development in those countries—it is simply a form of emergency aid. That does not help the changes necessary to help those countries overcome their economic difficulties.

There are problems with structural adjustment policies, but they present a means by which to co-ordinate the efforts of the EC, the World bank, the IMF and bilateral programmes. Therefore, I welcome the allocation of a significant sum of money for that purpose. But there is also major concern about the way in which EC delegates in the various ACP countries fail even to make inquiries about the way in which other countries, which have had bilateral programmes for many years, construct their aid. There is little assessment within the EC of the economic needs and how economies can be helped to grow. Therefore, the combination of efforts and talents that we in the EC, through bilateral and European economic aid, can co-ordinate with the private sector to enhance the development of those countries.

Time and again, I have visited countries and asked the European delegate what he knows about the programmes of the other 12 member states—the answer is often, very little indeed. I am sure that that could be easily rectified and I hope that, through its new organisation, the Community will pay it more attention. That would provide benefits at no additional cost and would aid those countries in a more constructive and imaginative way.

Another concern about Lomé IV is that there continues to be a major gap in ACP-EEC trade, despite all the apparently generous trade concessions that were given in that agreement, as in Lomé I, II and III. They are not taken advantage of by our ACP partners, and we must ask why. The principal reason is the rules of origin, although we welcome the fact that we have reduced the input necessary to qualify for tariff-free import into the European Community from 60 per cent. to 45 per cent. of the product produced by the exporting country.

However, I doubt whether even that will enable those countries to take advantage of the concessions. I refer to the smaller states—especially the island states—where much of the product is imported and only the labour is added. That means that few of the products will qualify for the tariff-free import into the Community. We must improve that, to enable those countries to make use of their most valuable and largest resource—their people's energy and ability to add value to a product which does not qualify for inclusion under the rules—even if the countries could understand the rules of origin which apply to many products.

One way to overcome the problem is to encourage wealth-creating investment from our private sector into those countries. A controversial proposition—although it is an idea in which I have always believed—is that, if those countries are exporting products to sophisticated western markets, they need to be able to benefit from the marketing profits made in Britain. In that way, they will benefit more than they do merely as producers and exporters.

External investment by the developed world will give the developed world a greater interest in ensuring that those economies work well. Equally, investment by the developing countries in the marketing sector of the developed world will give them an insight into what is required and into the standards needed successfully to market their products and give them a greater share in the profits from their efforts. In that way, we can begin to create a world that will enable them to benefit from the Lomé IV agreement. It is a good agreement, but it could be a good deal better.

1.5 am

Mr. Bob Cryer (Bradford, South): I will concentrate my remarks on the technicalities of the order because, as Chairman of the Joint Committee on Statutory Instruments, I brought to the attention of the House the fact that the Joint Committee had reported the order. In the ordinary course of events, precautions are taken so that the Joint Committee has the opportunity to complete its examination of an order, under the terms of the Standing Orders of the House, which involves asking the relevant Department for a memorandum or memoranda, depending on the scale of our investigations. On this occasion, the arrangements appear to have fallen down.

I understand that the Government Whips, through the usual channels, offered not to move the order tonight, so that we could make a more leisurely report. However, I did not feel that that was right, because the Committee was able to finish its consideration and we were able to put our report in the Vote Office to enable hon. Members to take copies if they wanted. The Minister was able to make a comment on our observations.

I want to put on record our concern within our range of duties of reporting to the House about the unusual use of powers and the vires of orders. An important issue is involved. The Joint Committee is the only scrutiny Committee for the huge outpouring of statutory instruments by which the majority of legislative powers are applied to the United Kingdom and related organisations, such as those in the order.

We have no quarrel with the first item in the schedule to the order—the fourth ACP-EEC convention of Lomé. We are concerned with the second item in the schedule —the

"Internal Agreement on the Financing and Administration of Community Aid".

Both agreements are designated as treaties. When we asked the Overseas Development Administration for the reason why the internal financing agreement was designated as a treaty, it gave only one reason, which was not the reason that the Minister gave—it was politically a method of bringing the matter before the House.

The Overseas Development Administration said that it was a means of bringing the treaty under section 2(3) of the European Communities Act 1972, and no other reason was given. It enables

"expenses incurred under or by virtue of the Treaties or this Act by any Minister of the Crown or government department"

to be paid. That is an unusual way in which to describe payments to the 7th European development fund. As that is an unusual use of ministerial powers—I will come to the qualification that the Committee made—we sought to report the matter to the House. It is an important precedent.

There is much talk of a European central bank. It would be wrong if the Minister used the powers under the European Communities Act 1972 to designate a treaty as a means of transferring funds to a European central bank. I hope that that bank never comes into existence, and I believe that it would have little merit. However, the Committee is not considering that. It is considering the way in which Ministers operate. We felt that the procedure set a principle that should not be followed.

In its memorandum, which we attached to our report, the Overseas Development Administration points out that it did not need the powers to bring the internal financing agreement under section 2(3) of the European Communities Act 1972 to authorise payments, because it already has power under section 1 of the Overseas Development and Co-operation Act 1980. With that power to make payments to the development fund, it simply was not necessary to use the other powers. As our memorandum states, that seems to destroy the ODA's case for designating the treaty as a Community treaty. We therefore felt that the matter was of sufficient general importance to warrant being brought to the attention of the House.

We have the right to report something to the House on the basis of an unusual use of powers. I believe that the matter falls under that heading. However, our adviser suggested that, as the power had been used on three previous occasions, this could not be regarded as an unusual use of powers. However, that is a matter of debate. On the three previous occasions when the powers were used in that way—in 1975, 1979 and 1985—I was not the Committee Chairman. They must have crept by during one of the Committee's weak moments.

I place the Committee's concern on record, and I hope that the Minister can assure us that she will find some other way of bringing these important treaty arrangements to the attention of the House. I do not deny their importance or the valid criticisms made of them by my hon. Friend the Member for Cynon Valley (Mrs. Clwyd). This is not a satisfactory way of using unnecessary powers to incorporate something into the schedule of a statutory instrument. It would be at least as good to use the record of the proceedings of this place to explain the internal workings, instead of using what appears to be an abuse of the Minister's powers against which our Committee was established to safeguard.

1.11 am

Mr. John Battle (Leeds, West): On every occasion that the Lomé convention has been up for renewal since it was first signed in 1976, the situation facing the African, Caribbean and Pacific countries has proved to be bleaker in terms of development. My main job between 1979 and 1983 was to monitor the implementation of the Lomé convention. The task now facing the convention and the burden that is must bear is much greater than it has ever been. The debt burdens have increased, prices for key exports have been falling and there has been an increasingly unfavourable imbalance in trade with the European Community.

The fourth Lomé convention was signed in December 1989 and at last included a chapter on the environment. However, it took a year to negotiate between the member states and the 68 ACP countries. Although it will last for 10 years, as the Minister explained its financial package will be split and renegotiated after five years. We must put pressure on the convention now to ensure that it fulfils some of its original intentions. Within the context of the fourth Lomé convention, I want to refer, as a case study, to Namibia—the newest ACP member.

At the time of negotiating membership of the ACP, the focus was on Namibian beef. Although Namibia must still sort out who benefits internally from the beef quota, I want to draw the attention of the House to the current key issue—that of fishing.

On 11 March, Namibia will begin negotiating with the Community for an agreement on EC access to fishing. In the debate on Second Reading of the Namibia Bill, the Minister for Overseas Development acknowledged:

"Namibia's fisheries programme is of great importance because it will provide a major source of income, as long as the fish are not stolen away . . . the area will then need the policing that it has not enjoyed until now. The income that Namibia will derive from that sector will be enhanced once a fisheries agreement is reached with the European Community."—[*Official Report*, 5 February 1991; vol. 186 c. 256.]

While I welcome that statement, the problem is that Namibia's fishery resources have been plundered by illegal overfishing in both the in-shore waters and off-shore. An estimated minimum of 300,000 tonnes of the offshore hake resources are taken by oversea fleets, which amounts to a not insubstantial amount in monetary terms. There have recently been local accounts of Spanish boats plundering those resources. When approached by the coastguard patrols, they have fled into Angolan territorial waters, taking with them 500 tonnes of hake fillets.

However, there is not only a problem with illegal plundering activities; there is also a problem of rebuilding the fish stocks that have been depleted under South African occupation. Furthermore, there is the question of the development of an integrated industry, which involves both the offshore and inshore fishing industries through the development of an indigenous fleet. If Namibian fish stocks were allowed to recover, there would be sufficient to enable the indigenous fleet to work in harmony and co-operation with the European Community fleet.

However, that objective might not fit so neatly with the current European Community objective, because the point of the European Community's fisheries agreement has been to secure access for EC fisheries fleets to fishing grounds in ACP countries. In other words, the developmental objectives have tended to play a secondary role and to take a back seat.

Despite the reluctant concessions that have been built in with financial compensation in return for EC access, the pattern has been one of dominance rather than of genuine mutual integration for the purpose of development. In other words, the key aim of the EC has been to secure long-term access to internal fishing grounds for EC fleets. However, if that objective is to be faithful to the spirit and purpose of the original Lomé convention, it should be blended with the need for Namibia to develop its own fishing industry in a spirit of genuine partnership and co-operation.

I hope that the Government will support Namibia's need for immediate effective conservation measures that will allow full stock recovery. That may mean minimal or no legal access to Namibian waters for the rest of this year. It will certainly mean backing Namibia's method of stock conservation through the establishment of low total allowable catches.

There will be a need to assist Namibia's ability to monitor and control fishing activities in its own economic exclusion zone, as the Minister acknowledged in the debate on the Namibia Bill. There is also a need to maximise local processing and the development of an indigenous fleet, which would mean the transfer of technological resources and the provision of capital goods, going beyond mere financial assistance.

However, it is also politically important to put pressure on South Africa to withdraw from its continued illegal occupation of Walvis bay, which is Namibia's only deep-water port. Namibia needs its main port. I hope that the Government will recognise the need for an early integration of Walvis bay into Namibia, and that the Minister will confirm that that will take place before the end of this year, and that it will include the 12 islands.

In conclusion, to ensure that positive support to the newest member of the ACP—and in the spirit of the Minister's backing for Namibia's entry into membership of the Commonwealth, which was welcomed on 5 February—we need to ensure that there will be an increase in the allocation of overall resources that will take account of Namibia's membership. Or will Namibia be effectively locked out from that five-year budget and depend upon waiting for EDF VIII to arrive later, when it is renegotiated?

Some have spoken in the past of the lost spirit of Lomé. It is true that the convention could be described as a story of missed opportunities to change the unjust balance of relationships between the north and south worlds, which has undermined development in the past. Attempts have been made to establish rules that would have helped to establish what was referred to in the preamble to the Lomé convention as

"a new more just and more balanced world order."

But in practice, the EC has tended to sign and then later undermine the realities of the agreement. For example, in the past, the European Community countries have used the loopholes in the international law of the sea to protect their fishing markets, rather than give the ACP fisheries fair treatment.

Lomé set out a model for new relations between rich and poor countries. Tonight, the Minister referred to it as the cornerstone. The European Community needs radically to improve the performance of the Lomé convention in Africa. It could start by treating the Namibians as real partners in the fisheries negotiations. The Minister spoke of the testing early stages of independence and democracy for Namibia and of the liberal trading opportunities for the ACP. I hope that the British Government's and her voice will be heard when those negotiations open in March as it is a vital, practical test of the future effectiveness of the Lomé convention.

1.21 am

Mr. Mike Watson (Glasgow Central): I cannot share the Minister's enthusiasm for the fourth Lomé convention. I recognise that parts of it are welcome, but when it was finally agreed in December 1989 after more than a year of negotiations, there was a feeling, particularly in the European Parliament, that the negotiations had been rather half-hearted. The way in which they progressed leads one to agree with that view.

The manner in which the EC countries approached the negotiations illustrated a thinly veiled scepticism about the problems and needs articulated by the African, Caribbean and Pacific states. It seems that the EC countries effectively put negotiating the new agreement on the backburner. They were more concerned with their own economic restructuring and intent on overcoming the many difficulties in completing the internal market for 1992. There were the further distractions of the GATT Uruguay round talks and the needs—which, I acknowledge, were legitimate—of the emergent democracies of eastern and central Europe.

[Mr. Mike Watson]

It seems that many EC member states give higher priority to bilateral aid than to increased co-operation at EC level. In part at least, it is possible that that is due to the unconvincing nature of the first three Lomé conventions and their failure significantly to alter the north-south balance in terms of development.

As I said, I welcome some aspects of the new agreement. In particular, the link between development and human rights and the commitment to the environment and the needs of women are welcome. However, it has to be said that they are offset by shortcomings, especially on trade, where the concessions made by the EC countries fell far below what the ACP group sought. One instance of that is that the ACP countries' request for an increase of 30,000 tonnes of husk rice. They received an increase of only some 3,000 tonnes.

The agreement also fails to provide the ACP with a preferential trading regime for agricultural products that would allow many ACP exporters to invest in substantial production and distribution units or replace expensive subsidised EC products with competitive ACP products. Equally important, no provisions were made to stop EC dumping on ACP markets where it is a disincentive to local production.

On the crucial matter of debt, the agreement contains only a miserable few measures. They aim to avoid a worsening of ACP debt under the new convention and to give technical assistance for debt management and capital flows. But the EC refused initially to include the debt issue in the negotiations on the new convention. That ignored the fact that most ACP debt is owed to EC Governments and to private banks in the Community. However, Lomé IV contains no European commitment to take concerted action in international establishments or to establish an overall framework for bilateral arrangements that could assist the ACP in restoring their capacity to service their debt. Even the small debt to the Community was not written off.

Negotiations on Lomé IV failed to get to grips with the fundamental problem of previous conventions—the disappointing level of implementation and the poor results which emanated from it. It seems inconceivable that only 20 per cent. of the funds of Lomé III were spent during its five-year duration. That shows an endemic problem in the relationship between north and south. The EC countries still do not seem to have grasped the scale of the structural problems facing ACP countries, particularly in Africa, where there are desperate problems.

The serious deterioration of circumstances in ACP countries since the Lomé conventions began in the mid-1970s is also revealed. There was a fall of 64 per cent. in purchasing power of the convention's signatories in the five years of Lomé III alone. Lomé IV failed to address that problem also. The distribution of the resources and wealth produced in the developed world must be complemented by maximising the contribution which can be made by the underdeveloped world, if given the chance. Until debt cancellation and the real encouragement of preferential trade agreements are pursued by the EC with conviction, something which has not been shown in the negotiations or in the final document of Lomé IV, the status of Lomé will be further downgraded so that it becomes perhaps just one donor among others. Surely the ACP countries deserve better.

1.26 am

Mrs. Chalker: With the leave of the House, I should like to respond to the debate.

I had hoped that the hon. Member for Bradford, South (Mr. Cryer), who chairs the Joint Committee on Statutory Instruments, might have been able to join us again, but perhaps I had better put these remarks on the record. What he said was important, following the consideration of the documents by the Committee.

I want to assure the hon. Member, as I think he recognises, that in tagging the document on the internal financing agreement on to the debate, I do not believe that we have set a precedent in any way. As I said in the early part of my opening speech, I had intended this to be a belt and braces exercise, to make sure that, when the House discussed Lomé IV, hon. Members would have full knowledge of all its aspects.

The worry of the hon. Gentleman about a transfer of moneys to a putative central bank would be more realistic if I had hidden my intention. My aim was exactly the opposite—to get everything on the record and to discuss everything together. I hope that the hon. Gentleman, who has rejoined us, will read in *Hansard* my first remarks in reply to the debate.

In order to permit Lomé IV to become operational, member states must ratify both the Lomé convention and the internal financing agreement. It is for us to determine how in the United Kingdom we should do that. That is why I recommended to Parliament the procedure for full consideration of all the elements making up the convention.

Lomé is unique. The member states and the European Community are partners to the convention, whereas only the member states contribute to its funding by virtue of the internal financing agreement. The agreement is a separate treaty and could, of course, have been laid alone before the House to satisfy the Ponsonby rule, but that would have deprived the House of the opportunity to consider the internal financing agreement in its proper context and would have denied the intrinsic link between it and the Lomé convention. We adopted the unusual course of bringing it before the House so as to be as open and consultative as possible.

Mr. Cryer: While I am grateful to the Minister for her response, I suggest that when in future she wants to make an explanation of that sort, she should include it in the memorandum submitted to the Joint Committee on Statutory Instruments. We did not have any idea of the reason she has given.

Mrs. Chalker: Given the number of explanatory memoranda that I am signing, I did not think that the hon. Gentleman would have wanted more from me. I shall ensure that they are as full as I can make them, keeping him up till even later hours considering such matters. I shall, so far as I am able, provide the fullest possible explanations.

A number of hon. Members expressed concern today about what they see as the loss of the spirit of Lomé. I hosted a visit during the past week by Dr. Bahane, the secretary-general of the ACP countries. He believes that

Lomé IV represents a significant step forward and acknowledges the important role that the United Kingdom has played in bringing that about—a subject to which I shall return.

In this short debate, we had a rather one-sided view from the hon. Member for Cynon Valley (Mrs. Clwyd). I have always seen the 1990s as an opportunity for Lomé countries. They can participate in 1992 and I have particularly argued with the European Commission that they should be helped to benefit from it. I believe that Lomé IV can help to stimulate growth for their products in the European Community market.

The 1990s provide an opportunity to conclude and implement GATT properly, and the hon. Member for Cynon Valley will recall my saying on 14 December how important a successful end to the GATT negotiations was for the ACP countries. But above all, we can build on the special ACP-EC partnership which has developed in implementing the wide-ranging and increased Lomé IV.

I said that Opposition Members had been characteristically negative in their remarks. That goes for the hon. Member for Glasgow, Central (Mr. Watson). There was nothing half-hearted about the long and detailed debates which led up to Lomé IV—the largest ever commitment of the EC countries, and rightly so, to the ACP countries. When I visit ACP countries and discuss the detail of it with them, we talk about how they can better use EC assistance, and they talk about that with enthusiasm.

None of those ACP countries would recognise the image that the hon. Member for Cynon Valley painted of Lomé IV. I assure her that nothing is collapsing and that we are increasingly working together. That applies to the member states and the Commission, the Community and the international financial institutions, and the Community and the ACP countries.

The hon. Member for Cynon Valley and my hon. Friend the Member for Hertford and Stortford (Mr. Wells) spoke about effectiveness, and my hon. Friend spoke of the need for donor co-ordination and the need for links between bilateral donors and EC delegates. Regarding effectiveness, the Commission is looking to the United Kingdom's knowledge and experience of aid planning to help it in the future programming of European development fund funds. It is also looking to us for evaluation methods of project proposals, and the new EDF rules will permit member states to evaluate effectiveness. Hon. Members will know that for a long time I have believed that to be necessary. I am glad to say that the Commission now has a new evaluation unit and that a much fuller use of evaluation work is planned.

It is also important that the Court of Auditors, which carries out annual reviews of aid implementation and makes recommendations for improving value for money, should be able to refer to such evaluation plans. That is why member states are considering the improvements suggested in the auditors' report for 1989, and that could prove valuable.

The hon. Member for Cynon Valley spoke of the slow disbursement rate of EDF VI. The Commission is aware of the problem. We would not have allowed it not to be aware of that. The main sector for aid under Lomé III, as the hon. Lady will recall, is agriculture and rural development. Both are inevitably rather slow in disbursing parts of the programme. It is not justifiable to steer away from these identified priorities simply to speed up disbursement. However, measures must be taken to speed it up, and we are encouraging that with the European Commission. The sectoral import programmes under the structural adjustment facility are fast disbursing and they will help to step up the disbursal rate of EDF VII. They will be able to give the balance of payments support that so many of those countries badly need.

My hon. Friend the Member for Hertford and Stortford asked about donor co-operation. He will probably be aware that British high commissioners and ambassadors in ACP countries are encouraged to call together ambassadors from Community countries, and frequently from other countries, to discuss with the EC delegates what they are doing and how they can reinforce programmes of economic reform and structural adjustment, health care and education, and the other matters that we most value in the programmes in which we are involved.

I am glad to say that co-operation is working rather better than it did a few years ago. Nevertheless, there is a long way to go, and one of the frequent topics of conversation when I meet the Commissioner and his senior staff is how to get better co-ordination on future projects between EC partners and other main donors and EC delegates. We shall set about that with great enthusiasm in the years ahead.

The hon. Member for Cynon Valley implied that there was some secret about ACP debt and our discussions on the subject. I assure her that that is not so. When Commissioner Marin first presented his proposals to the Development Council on 5 November, I willingly undertook to consider them carefully. It is my view, and the view of other member states, that the proposals need a good deal of further work to ensure that the poorest countries benefit—exactly what the hon. Lady asked for—and that the current arrangement for dealing with debt are not undermined.

The poorest and most debt-distressed countries which are following economic reform programmes deserve the encouragement that we can give through the structural adjustment measures which are included in Lomé IV for the first time. Every donor country agrees that we must be sure that the proposals do not cut across the current international machinery for dealing with debt. No decisions have been taken. As I reported to the House after the Development Council meeting, consideration continues, and we intend to see that this is made to work.

Britain has forgiven official aid debt to the poorest in our aid programme, and we aim to view the Commission's proposals in exactly the same policy context of helping those countries to help themselves. The debt under Lomé conventions covered by the new debt proposal is about 3,900 million ecu over 50 years. The United Kingdom's share of that is estimated at about £500 million.

The hon. Member for Cynon Valley referred several times to structural adjustment. She seemed to imply that the Community would be able to work independently of the World bank and the IMF. There is no merit in the European Community, the World bank and the IMF having competing policies. We should work together to reinforce each other's efforts in these countries. As the hon. Lady may know, the Bretton Woods institutions, with their special expertise, play a special role. That means that the Commission, like bilateral donors, should play a supporting role, and we hope that it will do that.

[Mrs. Chalker]

The EC decisions on debt followed consultation with individual ACP countries, so it has not been a matter of the Community going off on its own and not consulting.

The hon. Lady also referred to the lack of staff to implement Lomé IV. Expertise is gradually being built up in DG8. I fully accept that there are insufficient specialists in certain areas. That is why Britain has seconded environment specialists to the Commission to work in DG8 and link up with the environment directorate-general. We have also just seconded a United Kingdom economist to DG8, to deal particularly with structural adjustment, and other staff are going to build up exactly the work that has to be done under Lomé IV.

The United Kingdom is committed to a liberal stance on trade because we believe that to be to the benefit of all ACP countries. We have been leading the call for CAP reform. The solution to unfair Community exports in third countries is not to commit them to aid but to tackle the unfair export competition by the EC, and that is exactly what we are doing in GATT.

One hon. Member—the House will forgive me, but I do not remember who—was rather confused by the EC tropical products offer. That has been widely recognised as a good contribution to the needs of developing countries, but like the hon. Member for Cynon Valley I would have liked more trade concessions. We fought hard for greater trade concessions, but sadly not all my colleagues in the negotiations were as willing as I to see greater trade concessions to ACP countries. However, I must exonerate the Dutch from that blame, as they were extremely helpful in trying to open up more trading possibilities for the ACP countries.

This has been a short but good debate. We see the chances of 1992 for the Lomé countries as an opportunity. A single market of more than 320 million consumers, only one external barrier and one set of standards, must make it easier for ACP countries to export to us. The benefits of going to the international trading system which are generated by the Community's new economic dynamism will be a major force for a general liberalisation. We shall go on pressing the Commission to take account of 1992, in all its programming of Lomé IV.

I will repeat something that I said briefly at the beginning about bananas—a very special commodity for our Caribbean friends. Our long-standing commitment to the traditional banana suppliers in the Caribbean will not be changed. We fought hard in the Lomé renegotiations to ensure that effective preferential access arrangements were maintained for the traditional suppliers. The commitments are enshrined in a protocol to the convention, and I assure the House that we shall uphold those commitments when we consider what arrangements should apply to bananas in the single market after 1992.

As I said earlier, the Commission has still to come forward with its proposals, but the arrangments must take account of our commitments to our Commonwealth Caribbean suppliers, of the trade policy considerations, the interests of consumers and the competition and efficiency objectives of the single market initiative.

We are committed to getting on with the job and to ensuring that Lomé IV is even more effective than Lomés I, II and III and the Yaoundé conventions before them. I am convinced that the Commission has the will. It may need a few good ideas from its member countries about how best to act, but together we can deliver a much better deal in the 1990s than we were able to achieve in the 1980s.

Question put and agreed to.

Resolved,

That the draft European Communities (Definition of Treaties) (Fourth ACP-EEC Convention of Lomé) Order 1991, which was laid before this House on 29th January, be approved.

Optical Fibres

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Goodlad.]*

1.43 am

Mr. George Howarth (Knowsley, North): In this Adjournment debate, I represent only my constituents, the town of Prescot in which I live and the work force of and all those dependent on the BICC works there, which is of vital significance to the town. I do not speak for BICC when I say that, nor for British Telecom, Mercury, or any of the other commercial concerns which obviously have an interest in this matter.

The BICC company has been vital to the town of Prescot for the past 100 years. In the past few years, the company has shrunk as an employer, from employing about 10,000 people at its peak to under 2,000 now. Several weeks ago, the closure of the copper refinery in Prescot was announced—its timing is still open to discussion—and a further 230 jobs were lost.

I make those few introductory remarks about BICC because there is a problem. The development of optical fibre cable and the development and implementation of the broad band system offer considerable potential to the company. It is estimated that, if such developments were allowed to go ahead pretty quickly in this country, about 800 jobs could be created within the borough of Knowsley, part of which I have the honour to represent in the House. When one considers that my borough is in the top 10 constituencies for unemployment, which is not a statistic that I am boasting about, but a fact of life, those 800 jobs would certainly be most valuable.

Similarly, in the north-west of England, where the cold wind of recession is blowing and scarcely a day goes by without the loss of manufacturing capacity and jobs, it is estimated that about 4,000 jobs could be created as a result of such developments.

Naturally, the estimate which is most commonly used by commerical interests is that, taking into account the multiplier effect provided by any manufacturing industry —jobs rippling through into other parts of the economy —there is potential for about 30,000 jobs. That potential, nationally, in the north-west and within my constituency is all too plain and welcome in the context of an economy which has been shrinking drastically during the past few years.

However, there are constraints upon that development. The Minister is considering the duopoly review, commissioned by the Government to study all these matters. If they accept the duopoly review's recommendations, it will prevent the development of the broad band system in the United Kingdom, in particular by preventing British Telecom and Mercury—the two operators capable of producing a system of that kind—from carrying entertainment for between seven and 10 years. That is the profitable part of the operation, which would act as a spur to the development of home computers, video phones and so forth, so that would prevent the industry from taking off.

I do not decry the Japanese Government, Japan's industry or its people—far from it—but by contrast, in Japan, through the Nippon Telegraph and Telephone Company, decisions have already been taken to invest £12 billion to create a broad band national network, which will put the company in a strong position to take advantage of any developments that are then allowed, in seven to 10 years, as a result of the delays caused by the duopoly review.

I simply wish to urge the Government to consider the prospects involved in allowing British Telecom and Mercury to develop a broad band system, and, in particular, allowing them to carry out entertainment operations. It is possible that an industry in which we already have a technological leading edge, and in which we are now a world leader, will simply slip through our fingers, and the potential jobs in my constituency and in the nation as a whole will be lost.

In the 1988 Mountbatten memorial lecture, Sir William Barlow, the distinguished chairman of the BICC group of companies, said:

> "In so many scientific and technological enterprises, Britain has frequently led the world as inventors or in research and development—only to lose the final race in terms of commercial application and market exploitation.
>
> We are on the threshold of a revolution in communications and we should grasp the opportunity to be a world leader."

That potential already exists—the potential for this country to move heavily and dramatically into the technological revolution. It is a matter of developing a formidable, highly technical communications network, and of Britain's getting back into the driving seat to deal with the technology and manufacturing of the 21st century. The opportunity must not be constrained for the next seven to 10 years: we must grasp it fervently now. Even if questions are posed about competition, let the existing companies get on with the job; and let us hope that, in seven to 10 years' time, the opportunity has not slipped through our fingers. It should be a matter of British national pride that we were there first, and that we are doing it.

1.51 am

The Minister for Corporate Affairs (Mr. John Redwood): I congratulate the hon. Member for Knowsley, North (Mr. Howarth) on raising such an important subject. I was sorry to hear of the recent job losses at BICC; I hope that the plans that I hear are being discussed for development on an alternative site can bring some extra jobs and prosperity to his part of the world—assuming that the planning authorities consider them satisfactory.

I agree with the hon. Gentleman: over the next few years, the development of broad band networks and opto-electronic technologies will be important, and I hope that his constituency will benefit from that as the demand comes through: 1 million km of fibre highway are already in place for trunk calls, and more will be sold as needed. There will also be new opportunities for the suppliers. The use of fibre allows more signals to be sent along a given route. Broad band systems allowing television programmes to be sent by cable require either fibre optic capacity or thicker copper cables in the home.

The Government are keen to promote the right environment for those developments, so that British companies across all industries can benefit from them and gain an international competitive advantage. I think that Opposition Members and I can agree on that.

The hon. Gentleman asked me about the duopoly review. I am sure that he will understand that I cannot predict the results of the Secretary of State's deliberations tonight; however, we stated in the document that British Telecom was already allowed to convey entertainment

[Mr. John Redwood]

services to the home as the agent of a cable company. BT has also been free to apply for cable franchises through a subsidiary, in its own right, on the same basis as any other applicant. BT is, however, now disposing of all its cable interests. Those matters will be covered when we present the findings of the review. We have been delighted by the range and quality of the representations received on those and other issues.

Although the hon. Gentleman and I can agree on the importance of cable networks, I do not think that I have always found myself in agreement with Opposition Members about the best ways to achieve that. Labour wants the Government to make BT install a national broad band grid.

The Labour party's document "Meet the Challenge—Make the Change" stated:

"BT must be empowered and directed to undertake this major investment programme."

That seemed to be reaffirmed in Labour's latest industry document, published this week. But who should pay the taxpayer or BT's customers? Moreover, why should cable be laid before there is a need for it? What possible advantages are there in returning to a monopoly provider? The Labour party's plans have been costed at an additional £20,000 million—a very considerable sum.

We say that as people demand cable TV or video conferencing, so more fibre will be used to link trunk routes—eventually into homes or businesses. Informed estimates suggest that, under our policies, the United Kingdom will spend more than £60,000 million on the technology as demand builds up. It will be a huge and important investment. By adopting our approach, the United Kingdom has already become one of the most intensive users of optical fibre for communications in the world. We use more fibre for trunk communication than France or Germany—both considerably larger countries.

Cable television companies are using fibre increasingly for trunk circuits. It is also being installed in the premises of major users of telecommunications, such as those in the City and other business centres. In the centre of London, more than 1,300 buildings are directly connected by Mercury alone, and BT accounts for more. There are also local fibre networks in Manchester, Birmingham, Bristol, Leeds, Reading, Edinburgh and Glasgow.

It does not yet pay to install fibre for smaller and residential customers, because the opto-electronic components needed to convert from optical to electronic signals are still expensive. The price of the components will doubtless come down, and as they come down, fibre to the home can become a reality if people want the sort of new services that fibre links can provide.

British Telecom has undertaken extensive research and development into fibre optics and opto-electronics—much of it in collaboration with leading United Kingdom companies. Last autumn, BT, GPT, and BICC started a two-year "field trial" of new fibre technologies in Bishop's Stortford, in which telephone calls, television pictures, text and data all travel over a single optical fibre cable. The trials are both technological and commercial. Their results will help decide when and if it will be commercial to offer such a service more widely.

The Government's role in encouraging such developments is threefold. First, we help to fund research, both in the United Kingdom and on a European basis. There is the £800 million EC RACE programme, which I expect to be followed up shortly by RACE II.

Domestically, research is also supported under the LINK programme: in opto-electronics and in advanced semiconductor materials, vital for the components in any fibre network. That involves an additional £27 million of public money over a period of five years.

Secondly, the United Kingdom played a leading role in the establishment of the European Telecommunications Standards Institute, which now undertakes most of the work in establishing standards in Europe, which can stimulate marketplace activity.

Thirdly, the United Kingdom's approach to new services in the market provides a great incentive. The success of the United Kingdom's liberal regime towards service provision has led many of our European partners to copy it. By allowing anyone with a service to test it in the market, we have enabled the United Kingdom to become the leading provider of value added network services of all types in Europe. As broad band technology develops, we shall be in a strong position to exploit what it can offer.

British Telecom and Mercury are not the only players. Cable operators already bring broad band network to the home and they do not offer television alone. They represent one of the best chances for effective competition to BT for residential phone links as well.

Some 135 cable franchises were awarded by the Cable Authority before its functions were incorporated into the ITC at the beginning of the year. It is still early days for most of the operators, but 30 of them are offering service to their customers, and many more have started to install their networks. Successful operations already provide services to more than one in five of the households they can reach. In the United States—a more mature market—penetration reaches one in two.

The next two or three years will be critical for the broad band cable industry. Cable operators make very heavy investments at the beginning of their lives, and they need to penetrate the market rapidly to get payback. If the operators stick to their plans, they will reach half of Britain's homes by the mid-1990s, and two thirds by the end of the century. They have the opportunity to bring advanced telecommunications to their customers on the back of the cable television market. Data transfer services are already being widely used by businesses, and there are niche markets for services such as video conferencing. There are plenty of other uses yet to be thought of.

The United Kingdom has the leading position in both the technology and the use of fibre optics and broad band services, and undoubtedly will be amongst the pioneers of those new uses. British Telecom and Mercury have already switched to fibre for almost all their trunk cable network. Many individual large customers now have fibre to their premises. It may well be only a question of time before it will be economic for British Telecom, Mercury and their competitors, such as the cable companies, to supply all customers.

But it must be an economic decision—not a Government command. Only in that way will customers get in service a broad band system they want, rather than a speculative white elephant at someone else's expense. In

they way, Britain is likely to be in the lead and is likely to provide a good market for fibre optics and cable technology.

I agree with the hon. Member for Knowsley, North, who has raised this vital issue, that the development of these services is necessary. I believe that the Government are pursuing policies that will definitely have that effect, and that we are in the lead in western Europe.

Question put and agreed to.

Adjourned accordingly at Two o'clock.

House of Commons

Wednesday 27 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON UNDERGROUND (No. 2) BILL *(By Order)*

Order for Second Reading read.

To be read a Second time tomorrow.

Oral Answers to Questions

ENVIRONMENT

Disabled Facilities Grants

1. **Mr. Hinchliffe:** To ask the Secretary of State for the Environment if he will review his policy on the provision of mandatory and discretionary disabled facilities grants.

The Parliamentary Under-Secretary of State for the Environment (Mr. Tim Yeo): This matter is being kept under review, to ensure that grant assistance continues to help disabled people least able to afford the cost of house adaptations.

Mr. Hinchliffe: Is the Minister aware that local authorities are having to make loans to many applicants because of their inability to meet the scheme's means-testing arrangements, which require certain contributions? In many instances the loans will never be repaid because of applicants' financial circumstances. Is the Minister further aware that some elderly and disabled people are being forced into permanent care because of their inability to make a contribution for adaptations under the scheme? Bearing it in mind that the scheme's means testing arrangements run contrary to the Government's care in the community proposals, will the Minister review the operation of the means-testing arrangements and of the scheme generally?

Mr. Yeo: I am not sure whether the hon. Gentleman is questioning the principle of means testing, which his party did not oppose in Committee. If he is, it appears that he wants us to spend more taxpayers' money helping the best-off. If the hon. Gentleman is merely questioning the way in which means tests are undertaken in respect of adaptation grants, I assure him that we will review the system, which has been operating for less than eight months. We should like it to be up and running for a year before we undertake such a review. Nevertheless, we shall do that this summer and we will consult the associations that represent the local authorities which are administering it to ascertain how well it is operating.

Mr. Hannam: Does my hon. Friend recall that the original commitment in the consultation document was for a non-means tested operation of the grant scheme? Given that there is means testing now, is my hon. Friend aware that many disabled people are now producing examples of the way in which the system is working adversely? When he undertakes his review, will he examine carefully the need to set different criteria for means testing in respect of the disabled?

Mr. Yeo: We will certainly examine the criteria that have operated during the first year and I shall be glad to hear the views of my hon. Friend, whose expertise in the subject is well known. The new scheme was intended to widen the range of home improvements that could be paid for by the mandatory facilities grant. There is no restriction on the size of the grant or on who can apply for one. We aim to allow more disabled people to secure more help and to enable them to live more independently and comfortably at home, if that is possible. In many cases, that objective has been achieved.

Rev. Martin Smyth: I acknowledge the dilemma that presents itself in respect of means testing, but will the Department give special consideration to new build houses, so that there might be savings to a community in the long term in the form of new homes constructed to specifications that are designed to help the disabled?

Mr. Yeo: We have considered that. Ideally—this objective has the support of most of the voluntary organisations concerned—all new houses should meet standards of acceptability and convenience for the disabled, regardless of whether they will in the first instance be occupied by a disabled person or by a family that has a disabled member.

Competitive Tendering

2. **Mr. Rooney:** To ask the Secretary of State for the Environment whether he will publish the results of investigations into the costs to local authorities of the compulsory competitive tendering legislation under the Local Government Act.

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): Research is being carried out by the Institute of Local Government Studies. We hope to publish the report on its first year's work in the near future. That research has shown that the cost of tendering is some 2·5 per cent. of total contract costs and that CCT has produced average savings of just under 6 per cent. in the annual cost of providing services—often linked to a higher quality of service.

Mr. Rooney: Is the Minister aware that thousands of contracts have been called into question throughout Britain on the ground of quality? Is he further aware that hundreds of headteachers have complained about the low standard of cleaning in their schools? Will he comment on the economic consequences of thousands of part-time, low-paid local authority workers losing their jobs as a consequence of the legislation?

Mr. Key: Of course I have read the report. That is why we are anxious to evaluate the projects as they are carried out. The Department is responsible, under legislation, for ensuring that the section 13 or section 14 notices may sometimes have to be issued. I hope that the hon.

Gentleman will agree, however, that we are interested in the quality of service and the value for money offered to the charge payers who are financing that service.

Mr. Barry Field: Does my hon. Friend agree that the competitive tendering legislation has enabled Conservative councillors on Medina borough council to cut community charge not once but twice, benefiting charge payers in the Isle of Wight?

Mr. Key: My hon. Friend is absolutely right. Competitive tendering has played its part in that. I congratulate Medina borough council, which has cut its community charge by some 50 per cent. this year.

Mr. O'Brien: Is it true that the survey will not reveal any substantial financial savings for local authorities? Will the report outline the position before and after compulsory competitive tendering? I put it to the Minister that a substantial number of local authorities spend a great deal of time and money on drawing up tenders, only to find that the private sector is simply not interested in tendering.

Will the report also give comparisons relating to the quality and the full value of the service provided for poll tax payers and will it mention the decline in the proper training of personnel? I suggest that CCT represents a further failure of the Government's local government policies.

Mr. Key: The hon. Gentleman ignores the Audit Commission's claim that voluntary competitive tendering can produce savings of between 10 and 30 per cent. That is a substantial amount. We are, of course, always considering whether there should be more compulsory competitive tendering—whether the scheme should be increased. That can only be in everyone's interests. I do not think that the hon. Member for Sheffield, Brightside (Mr. Blunkett) would disagree. He wrote on 15 February:

"It would be foolish to pretend that the jolt given to many local authorities has not had some beneficial effect in stimulating their own concentration on quality as well as improved managerial practice."

Hostel Beds

3. **Mr. Squire:** To ask the Secretary of State for the Environment what is the number of hostel beds available *(a)* in London each night and *(b)* in the rest of the United Kingdom.

The Minister for Housing and Planning (Sir George Young): The latest estimates available show that the total number of hostel bed spaces in housing association hostels, resettlement units, probation and after-care hostels and those run by local authorities in London is 22,383, and 60,142 in England as a whole. My Department does not hold figures for the rest of the United Kingdom. I take this opportunity to thank the voluntary agencies for their hard work in developing the additional places now coming forward under the rough sleepers initiative and for their help in ensuring that the cold weather emergency provision continues to remain open for an extended period.

Mr. Squire: I thank my hon. Friend for that answer. Will he tell us whether at those levels demand continues to be outstripped by supply—whether spare beds are available? Will he also tell us whether the two emergency hostels opened in London during the recent severe cold spell remain open?

Sir George Young: I assure my hon. Friend that, even on the coldest night, space was still available for those sleeping rough in London. The Paddington Green hospital, which is the largest of the emergency cold weather shelters, will stay open for six months and it is planned that the Soho shelter should remain open until the middle of April.

Mr. Fearn: Is the Minister aware of the considerable problem of homelessness in Merseyside, stretching from the Wirral to my constituency, Southport? Has he any idea what he may give the region to deal with that problem? He has recently given certain figures, but most relate to London. How much will go to Merseyside?

Sir George Young: I believe that there is a substantial number of empty properties in Merseyside. That certainly applies to Liverpool, which has experienced a good deal of emigration. One of the difficulties facing Liverpool city council is the excess of homes and I see no reason why anyone should have any reason to sleep rough in Liverpool of all places.

Miss Emma Nicholson: I congratulate my hon. Friend on introducing and implementing a package of measures that have gone so far to solve this difficult problem. Will my hon. Friend's Department be prepared to carry out research into whether homeless youngsters have been habitual truants from school, and thereby slipped the leash of parental and teacher control at an early age, and discover whether useful and constructive measures could be derived from such research?

Sir George Young: My Department has commissioned some research from York university to discover more about the motivations and histories of the homeless. A substantial number of people who have been sleeping rough were in care before they came to London. Local authorities have a responsibility to ensure that once children reach the age at which they are no longer their statutory responsibility, those children still have somewhere secure to go so that they do not end up on the streets.

Mr. Soley: Is not this a problem of the Government's own making? We did not have homeless people sleeping rough in the streets like this until we had a Tory Government. Only alcoholics and some mentally ill people slept rough before this Government came to office. I can say that as I have experience as a probation officer in the King's Cross area of London. Is the Minister aware that housing organisations and the Labour party have warned the Government that temporary hostel beds are not the answer? The real answer is real homes for real people who are sleeping in the snow. We want to know now whether the money that the Government are talking about providing will continue to be provided to the many voluntary organisations that have written to the Minister's office, but which have not received answers telling them whether they can continue the work that they started during the cold weather.

Sir George Young: If I may say so, that is a rather simplistic analysis. The problem of rough sleeping

predates 1979. Responsibility does not rest with the Conservative party. The *Manchester Evening News* has reported that:

"Homeless people are sleeping rough and begging on Manchester streets while 5,000 council houses and flats stand empty."

For every hostel space in London, there are two move-on spaces. We are offering people the opportunity of permanent accommodation. My right hon. Friend the Secretary of State and I are determined to build on the momentum that has been developed and bring about a situation in which no one has to sleep rough in London.

Sir Nicholas Fairbairn *rose—[Interruption.]*

Mr. Speaker: Order. The question does relate to the United Kingdom.

Sir Nicholas Fairbairn: Did my hon. Friend see the recent programme by—surprisingly—the BBC, in which an Aberdonian youth who was sleeping in a box in London was flown back to his mother in Aberdeen and interviewed? He said that the last thing that he wanted to do was to stay in Aberdeen and take a job because he could beg £60 a day in London, and he did not stay in a hostel because he could keep the money if he did not spend it. He was returned by the BBC to London on a British Airways flight. Does not that say something about homeless people?

Sir George Young: I did not see that programme, but there is a small number of people who abuse the hospitality of people in London by begging instead of seeking work. For every case like that, there are some genuine cases of people who do not want to sleep rough. I agree with my hon. and learned Friend that we must deal with the abuses, but we must also make provision for those who do not want to sleep rough and would dearly like to move on to permanent accommodation.

Local Government Finance

4. **Mr. Patchett:** To ask the Secretary of State for the Environment if he has any plans to introduce a modern and fair rating system; and if he will make a statement.

18. **Mr. Callaghan:** To ask the Secretary of State for the Environment if he has any plans to introduce a modern and fair rating system; and if he will make a statement.

The Secretary of State for the Environment (Mr. Michael Heseltine): Our review of the structure and finance of local government will look at all the options, including domestic property taxes. I hope to be able to give a first indication of our thinking in the spring.

Mr. Patchett: Does the Secretary of State agree that the poll tax is now untenable? When will he admit that it should be abolished?

Mr. Heseltine: The hon. Gentleman is aware that all those matters are being considered. When we have something to say, we will say it, but not until then.

Mr. Speaker: Mr. Callaghan.

Mr. Cryer *rose——*

Mr. Speaker: Order.

Mr. Winnick: In view of the comments that the Secretary of State made about the poll tax when he was a Back Bencher, will it be possible for him to remain in government if it is decided by the Cabinet to retain what he himself described as a Tory tax?

Has the right hon. Gentleman any comment on the absurd statement by one of his predecessors that if the rating system was brought back, there would be rioting on the streets? The only rioting that has occurred has been brought about by that Tory tax, the most unfair tax that has ever been introduced—the poll tax.

Mr. Heseltine: The hon. Gentleman may be aware that many millions of people now realise that the community charge reduction scheme is bringing them substantial reductions in community charge.

Mr. Latham: Is my right hon. Friend aware that his reputation over many years for radical policies is well deserved and that the best way in which he can proceed in this matter is by radical change?

Mr. Heseltine: My hon. Friend is extremely flattering. I shall, if I may, refrain from comment until we produce the conclusions of the review.

Sir Rhodes Boyson: Is my right hon. Friend aware that there is considerable support on the Conservative Back Benches for national expenditure on schools and further education? That would achieve two objects. It would halve the community charge and make all schools grant-maintained schools responsible to parents and not inspectors, which would improve education throughout the country.

Mr. Heseltine: I know how much my right hon. Friend is concerned about this matter. He will know from speeches that I have made that I am a strong supporter of the grant-maintained school principle. When suggesting the switch, my right hon. Friend does not draw my attention to the national taxes that he would wish to be increased to fund his proposals.

Mr. Gould: Will the Secretary of State reassure the millions of people who want to see the back of the poll tax by making it clear that he has refused to be bound by the ideologues in his own party and that he at least is prepared, indeed anxious, to see the abandonment of the poll tax principle?

Mr. Heseltine: I am sure that the hon. Gentleman agrees that it is never possible to discern any ideologues on the Conservative side of the House because there are so many on the other.

Mr. Hayes: I appreciate that my right hon. Friend is doing his best to see that the landed gentry do not riot too much on the streets of Tewkesbury, but will he do what he can to assist my poor beleaguered constituents in Harlow? Their left-wing authority has increased its expenditure by 44 per cent. this year, announced a community charge of £459, and eaten into reserves. When the review is presented, will my right hon. Friend protect people from left-wing authorities such as Harlow?

Mr. Heseltine: As my hon. Friend is aware, by and large, it is beyond any question the practice for Labour authorities to charge significantly more community charge than the Conservatives.

House Insulation

5. **Mr. Battle:** To ask the Secretary of State for the Environment what help is offered to local authority tenants to insulate their homes.

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry:) The Government are firmly committed to encouraging greater energy efficiency in local authority dwellings. Substantial capital resources are made available to local authorities to improve their housing stock, and advice and grants are available to tenants on low incomes to insulate their homes.

Mr. Battle: Is the Minister aware that the home insulation scheme has been reduced to the programme that is run by the energy action grants agency scheme in Newcastle and that that is leading to cowboy contractors knocking on the doors of pensioners and people on low incomes, asking for deposits in advance and then disappearing? Would not it be better to have a home insulation scheme that is properly administered and monitored by local authorities to prevent that unscrupulous abuse, to ensure that the scheme results in home improvements for council tenants and that poor people are not left in the cold?

Mr. Baldry: The home energy efficiency scheme is an excellent scheme, to which £27 million has been made available for this financial year. That is a significant increase on the level of help that has been made available to low-income households in the past. The scheme expects to undertake 200,000 insulation jobs this year. Network installers have been registered in all parts of the country and all low-income households have access to a network installer. If the hon. Gentleman has a scintilla of evidence about the scheme not working properly, I suggest that he makes it available to my hon. Friends in the Department of Energy. The energy efficiency agency that is running the scheme is highly reputable and, I am sure, will be concerned about any suggestions made by the hon. Gentleman that any network installer is not coming up to standard. Unless the hon. Gentleman is prepared to give that evidence, he should stop decrying the scheme.

Mr. Colvin: Will my hon. Friend acknowledge that a lot of money is wasted on insulation? Does he further agree that what we want is a uniform national scheme of rating for energy efficiency for buildings? At the moment, we have the national home energy rating scheme and Starpoint. Will my hon. Friend get in touch with his opposite number at the Department of Energy and ask the Department to initiate a uniform scheme, which would make it a great deal easier for my hon. Friend to honour the undertaking that his Department has given to review building regulations to take account of energy efficiency factors in home construction?

Mr. Baldry: The methodology on which both those schemes are based has been developed by the Building Research Establishment. I have no doubt that the Starpoint and national home energy rating schemes are considering ways to ensure that there is the least possible confusion about home energy rating for local authorities and home owners.

Mr. Win Griffiths: The Minister must be aware that about 170 million tonnes of carbon dioxide are thrown up into the atmosphere every year from homes in Britain. Will he admit that the scheme for which his and other Departments are responsible, which seeks to reduce our energy consumption, are miserable and, at the moment, hardly doing anything to meet the problem of global warming or even our commitment to stabilise the emission of carbon dioxide by 2005? Will the Government show a radical response and announce some positive schemes that would reduce significantly the amount of carbon dioxide that is thrown into the atmosphere from homes in Britain?

Mr. Baldry: The amounts of money that are being made available to promote energy efficiency improvements just among local authority tenants are substantial; 25 per cent. of the £3·5 billion of local authority capital investment was spent on improving heating and home insulation last year; 25 per cent. of the £450 million of estate action resources went on heating and insulation improvements; £60 million is being spent on the energy efficiency demonstration programme and, as I have already made clear, £27 million has been made available for the home energy efficiency scheme. The sums of money allocated to promote energy efficiency among local authority tenants alone are rightly substantial because we want to ensure maximum energy efficiency throughout our housing stock.

Homelessness

6. **Mr. Bidwell:** To ask the Secretary of State for the Environment what is his estimate on the current levels of homelessness in Greater London.

Sir George Young: In the third quarter of 1990, local authorities in London accepted responsibility to secure accommodation for 9,350 households they found to be homeless. The latest estimate of the voluntary groups dealing with rough sleepers is that there were about 1,000 people sleeping rough in seven main areas in central London at the end of January. Many of those are now using the emergency shelters and other accommodation provided under our initiative.

Mr. Bidwell: Will the Minister comment on the vicious and brutal 103 per cent. increase in rents for council house tenants since the Tories came back into power in the London borough of Ealing? Does not he understand that that is bound to lead to extra homelessness among those who cannot afford to pay?

Sir George Young: I am more than happy to comment on the increase in rents in the London borough of Ealing. It is one of the many legacies that the people of Ealing have had to bear from the outgoing Labour administration, along with a record 66 per cent. increase in rates three years ago. The reason for the rent increase in the London borough of Ealing, as the hon. Gentleman knows full well, is the irresponsible budget set a year ago by the outgoing Labour administration. The council assumed that it would make a profit on private sector leasing which it was never likely to make.

Mr. Tracey: Will my hon. Friend do something serious and immediate about the number of empty homes in councils controlled by the Labour party in London? There are 10,000 in just four Labour-controlled boroughs. Will he also do something about the millions of pounds of uncollected rents in Labour local authorities? Perhaps he

will invite Opposition Members to chase their local authorities rather than make vacuous propaganda points about homelessness in London.

Sir George Young: I agree entirely with my hon. Friend. In London about 20,700 properties owned by local authorities are empty and about £360 million in rents is uncollected. There are substantial resources available which could be used to meet housing need in London.

Mr. George Howarth *rose*——

Mr. Tony Banks *rose*——

Mr. Speaker: Mr. George Howarth.

Mr. Tony Banks: Oh come on. The hon. Member for Surbiton (Mr. Tracey) represents the Tory party in London.

Mr. Speaker: Order. The hon. Gentleman is called regularly. He cannot expect to be called every day on every question of his choice.

Mr. George Howarth: Does not the Minister recognise the serious point made by my hon. Friend the Member for Ealing, Southall (Mr. Bidwell) about the connection between the provision of housing at affordable rents and the level of homelessness in London? As regard the 103 per cent. rent increase in the Conservative-controlled London borough of Ealing, will he confirm that the increase would have been even higher if the Minister had not arranged for the authority to be bailed out to the tune of £5 million? If he will confirm that, will he also say that such provision should be made to local authorities throughout the country to cushion the rent increases that his Government are forcing on them?

Sir George Young: I must make it clear that, for obvious reasons, I played no part in the negotiations between the London borough of Ealing and my Department. The Government have taken several steps to increase the supply of affordable accommodation in Greater London, which is the subject of the question. Some £300 million has been made available, part of which is aimed at bringing voids back into use. Some of that is being spent under the tenants' incentive scheme to create vacancies in London. Some has financed homes under the private sector leasing scheme. On top of that, there is a substantial increase in the budget available to the Housing Corporation, providing an increase in the supply of affordable accommodation. The Government are taking several steps to deal with the problems that the hon. Gentleman raises.

Local Government Finance

7. **Mr. Robert B. Jones:** To ask the Secretary of State for the Environment what saving in the community charge there would be in 1991-92 to a couple living in Dacorum in a property with a rateable value of £200, under his community charge reduction scheme.

The Minister for Local Government and Inner Cities (Mr. Michael Portillo): The community charge reduction scheme will take hundreds of pounds off the bills of many people whose rates were low. The couple in my hon. Friend's constituency would have had a rates bill near the national average, but even so might expect a reduction of about £64 between them.

Mr. Jones: I thank my hon. Friend for his answer. Is he aware that Conservative-controlled Dacorum borough council has reduced its community charge by £33 per head and that one reason for that is that 98 per cent. of those registered have paid? Is he aware the council has gone about running the borough in an extremely efficient way, to the great advantage of those who live there? Does not that contrast with the nearby Labour-controlled council of Watford, which has a community charge of almost £100 more, with a cost of collection of £19 per head, compared with £7 per head in Dacorum? In those circumstances, will my hon. Friend advise the people of Watford and other areas of Hertfordshire to do what three opposition councillors in my area did last year and join the Conservative party?

Mr. Portillo: I endorse my hon. Friend's advice. It is remarkable that the community charge in Dacorum has been reduced by 8 per cent. Even so, it is remarkable that the community charge reduction scheme would give a couple in my hon. Friend's constituency a reduction of £133 if they were on three quarters of the average rateable value. Watford has no excuse in looking to the county, because Hertfordshire, which is under Conservative control, is spending £16 below the standard spending assessment, so the entire burden and more must be the responsibility of Watford.

Mr. James Lamond: Is the Minister aware that no amount of tinkering with the poll tax in Dacorum or anywhere else will make it acceptable? Can we expect the Secretary of State to make a better job of finding a method of financing local government than he did in 1972 on local government reorganisation when in charge of the Standing Committee on the Local Government Bill, the disastrous results of which we are still trying to deal with 18 years later?

Mr. Portillo: From the first part of the hon. Gentleman's question, I thought that his sense of geography was not strong. From the second part, I thought that his sense of history was not strong.

8. **Mr. Harry Greenway:** To ask the Secretary of State for the Environment what information he has on the community charge levels for London boroughs in 1991; and if he will make a statement.

Mr. Portillo: Westminster city council has set an example by planning a charge of £176. However, it seems already that some councils are planning charges of over £400: Hounslow, Merton, Hackney, Camden and Islington.

Mr. Greenway: Will my hon. Friend join me in congratulating Ealing's Conservative council on reducing the former Labour council community charge by £40 to under £400, despite 10 per cent. inflation? Does he accept my implacable opposition to council rent increases of £10 a week from 1 January and of £17·87 a week from 1 April? I express my implacable opposition even though the previous Labour council was entirely to blame. Can my hon. Friend find a way of helping the council?

Mr. Portillo: My hon. Friend draws attention to the extraordinary achievement of Ealing in bringing down the community charge, given the horrific legacy to which my hon. Friend the Minister for Housing and Planning referred a moment ago. What the council has managed to

do on the community charge is remarkable. I regret that rents have had to go up so much, but there is no doubt where the responsibility lies. The Government have been as co-operative with Ealing in its difficult position as they can be, but in the end the sins of the old Labour administration will be visited on the people of Ealing.

Mr. Fraser: Is the Minister aware that in Lambeth we face appallingly savage cuts as a result of the Government's insisting on the writing off of about £40 million of debt? Why cannot we do what any business would do and write off that debt without treating it on the one hand as money that has to be added to the poll tax or, on the other, as expenditure to be deducted from capped expenditure? Why cannot we tackle it sensibly as a business would?

Mr. Portillo: The hon. Gentleman seeks to compare Lambeth with a business. I am afraid that I find that comparison far-fetched.

Planning

9. **Mr. Favell:** To ask the Secretary of State for the Environment what representations he has received on the remarks by the Minister for housing on the potential beneficial impact of a well-designed new town or village on the landscape.

Mr. Heseltine: I assume that my hon. Friend is referring to a recent speech by my hon. Friend the Minister for Housing and Planning to a conference on "Tomorrow's New Communities". I have had no direct representations on his remarks.

Mr. Favell: My hon. Friend is right; I am referring to that brave speech by my hon. Friend the Minister for Housing and Planning. Everybody is in favour of the green belt; it is a valuable asset. But if we are never to build beyond the green belt in countryside which is accessible, valuable or beautiful, all building will have to take place within towns. Does my right hon. Friend agree that the vast majority of people live in towns and that they, too, want to be able to see trees and to have somewhere to let the dog run and for their children to play?

Mr. Heseltine: I am most interested in what my hon. Friend said. He will know that we issued a consultation paper on the subject. We shall be giving our definitive views on the matter shortly and I shall take into account what my hon. Friend said.

Mr. Turner: Is the Secretary of State aware of the devastating effect on the landscape and estates close to limestone workings? It is not always a happy story. In my constituency families are suffering seriously as a result of old limestone workings and they have turned to the Government for support. However, we have not yet heard anything positive from the Government and it would be welcome if the Secretary of State could tell the people of Ettingshall Park Farm in my constituency that some relief will be offered to them soon.

Mr. Heseltine: Had I been able to anticipate the hon. Gentleman's question I should have answered it today instead of tomorrow.

Local Government Finance

10. **Mr. Holt:** To ask the Secretary of State for the Environment what are the latest percentage figures of the number of community charge payers who have made payments for the recent year in *(a)* Langbaurgh, *(b)* Middlesbrough, *(c)* Hartlepool, *(d)* Stockton and *(e)* North Tyneside; and if he will make a statement.

Mr. Key: Payments had been made by 31 December 1990 by 88 per cent. of charge payers in Langbaurgh; 89 per cent. in Middlesbrough; 86 per cent. in Hartlepool; 83 per cent. in Stockton; and 94 per cent. in North Tyneside. In most areas the proportion is now nine out of 10, which is very encouraging. However, Langbaurgh collected only 51 per cent. of its budgeted yield in the first nine months of the year, compared with 84 per cent. in North Tyneside.

Mr. Holt: I am grateful to my hon. Friend for that answer, but not very, as it shows how inefficient Langbaurgh council is. It has been able to collect only 51 per cent. of the yield that it should have collected by now. Is there anything that my hon. Friend's Department can do to appoint an inspector or someone else with competence to Langbaurgh council to sort out the inefficiency which has meant that many people have yet to receive their community charge bills, let alone pay them?

Mr. Key: As my hon. Friend says, there is a wide variation in the efficiency of local authorities' collection. Many local authorities have not used the collection powers available to them.

Environment White Paper

11. **Mr. Cabora:** To ask the Secretary of State for the Environment what progress has been made on implementing the proposals set out in the White Paper on the environment.

Mr. Heseltine: The Government continue to make very good progress in implementing their White Paper strategy.

Mr. Cabora: I thank the Secretary of State for that answer, but does he agree that the implementation of many of the recommendations in the White Paper could proceed faster if resources were made available to local authorities to carry them out? On 1 April the new controls on air emissions will come into effect and 25 of those controls will be the responsibility of local authorities, but two authorities, Northampton and Langbaurgh, have already dismantled their control units. That is a bad omen for the implementation of many of the other White Paper proposals. Those authorities have abandoned control units because of a lack of financial resources.

Mr. Heseltine: I do not believe that any local authority will forgo its statutory responsibilities. I sincerely believe that our proposals for integrated pollution control and the inspectorate that will back that up will have a profound and desirable effect.

Mr. Anthony Coombs: Although I welcome many of the proposals in the Water Act 1989, which gives the National Rivers Authority far greater powers, I urge my right hon. Friend to make far greater use of the "polluter pays" principle so that the pricing policy of companies takes into

account their responsibility towards the environment—a responsibility which will be met through their own financial incentives.

Mr. Heseltine: My hon. Friend is absolutely right. The "polluter pays" principle is widely accepted in environmental policies, but my hon. Friend will be aware that, following the privatisation of the water industry, a £28 billion investment programme has been established which will transform the quality of water in this country.

Mr. Simon Hughes: Does the Secretary of State accept that his and the Government's credibility on environmental issues will be regarded as sound only when there is full integration between Government economic policy and Government environmental policy? The White Paper promised only that the Government would consider fuel taxation to encourage fuel economy and would consider environmental economic mechanisms to discourage pollution. Will the Tories join the Liberal Democrats in proposing a competitive tax on all forms of environmental pollution in this Budget, the next Budget, some time or never?

Mr. Heseltine: We are not too keen to join the Liberal Democrats, because we aim to stay in government. As the hon. Gentleman must be fully aware, the Government have already set up a standing environment Cabinet committee. We have nominated Ministers from each Government Department to take an interest in such matters. Although the specific questions posed by the hon. Gentleman are a matter for the Chancellor, no one could question the Government's environmental credentials, which are world pace-setting.

Mrs. Ann Taylor: Is the Secretary of State satisfied with the progress on the investment programme for the water industry which is specifically mentioned in the Government's White Paper? Is he satisfied with the progress of that investment programme, given that the industry acknowledges that there has been serious slippage in meeting those targets? Is not that slippage totally unacceptable when water bills have reached record levels and senior management in the water industry have just taken salary increases of up to 30 per cent?

Mr. Heseltine: I keep in close contact with Lord Crickhowell of the National Rivers Authority. We are broadly satisfied with the pace of progress. However, the scheme is a major enhancement in expenditure programmes which is, in significant part, necessary because of the dramatic cuts introduced by the Labour Government in the mid-1970s. It is unrealistic not to understand that to get such a level of expenditure under way takes a significant amount of time if the task of investment is to be done well. I shall be frank in response to the hon. Lady's question—yes, there is a price for high environmental standards. If the hon. Lady and the Labour party think that we can improve standards without spending and investing money, they deceive the country and themselves.

Local Government Finance

12. **Mr. Dykes:** To ask the Secretary of State for the Environment if he will make a statement on the latest developments in connection with his review programme for the reconstruction of the community charge system.

Mr. Heseltine: The review is continuing to look at a range of possibilities for local government finance, structure and functions. As part of the process, I have recently held a meeting with the local authority associations and visited a number of individual authorities and I and my ministerial colleagues have met various of the Opposition parties to hear their views.

Mr. Dykes: Why have all the best ideas come from Conservative-controlled local authorities and either no ideas or the worst ideas have come from Labour-controlled local authorities?

Mr. Heseltine: My hon. Friend has been in the House for long enough to know that that is a normal event which we are used to. In fairness to the Liberal party, the Welsh nationalists and the Scottish nationalists, they have clearly thought through their proposals for local government finance and have discussed the subject with us; we have had frank, full and valuable conversations. The gap has arisen characteristically, among Labour Front-Bench spokesmen, who apparently have proposals but have so little confidence in them that they are not prepared to discuss them.

Mrs. Margaret Ewing: What significance does the Secretary of State attach to the idea that all taxation should relate to ability to pay? Have the Government yet ruled in the possibility of local income tax, which could certainly be implemented in Scotland in the next financial year?

Mr. Heseltine: I have made it clear that we are looking comprehensively at all options. Although much of the argumentation behind the options is familiar and I fully appreciate the position of the Scottish National party, I shall not go further today than to say that all the options have been or are being considered by the Government, who have ruled nothing out.

Mr. Ralph Howell: In view of the commitment made by my right hon. Friend and the Prime Minister that nothing will be ruled out when considering changes to, or the repeal of, the community charge, will my right hon. Friend confirm that it is still practical and possible to repeal the community charge and replace it with 7 per cent. VAT before 1 April 1991, thus saving us from another 12 months of agony?

Mr. Heseltine: I have made it clear that nothing is ruled in and nothing is ruled out. With regard to the timing that my hon. Friend suggests, some things are ruled a bit more in than others.

Mr. Nellist: Will the review consider the powers of poll tax officers, such as is illustrated by the case of a 58-year-old lady to whom I spoke in Coventry last night? She has always paid her 20 per cent. poll tax by direct debit from a bank. After two lots of open-heart surgery, she moved last December from income support to invalidity benefit and received a £3 a week rise to £55 a week. She found that the poll tax office in Coventry had the power to phone the Midland bank and instruct it to pay £98 to the poll tax office out of her meagre savings. That is the first time that I have heard of poll tax officers having the power to instruct clearing banks to make such payments. Will the Secretary of State's review rule out such powers?

Mr. Heseltine: I cannot respond in the House to the circumstances of individual cases put by the hon. Gentleman, because I cannot reply in the detail that he expects. If the hon. Gentleman will write to me, I shall carefully consider the principles involved. The hon. Gentleman does everything that he can to avoid paying the community charge. What sort of example does that set for people whom he expects to pay it?

Mrs. Gorman: Will my right hon. Friend take my word for it that people in my constituency, which is yoked to two of the worst Labour councils in the south-east, Basildon and Thurrock, are sceptical about a change in the method of collection? They think that whatever we do under the same council structure the amount will still be too high. My constituents want the review to have an opportunity to reduce the role of local councils and put more work out to tender so that we do not need to collect as much money.

Mr. Heseltine: My hon. Friend makes an important contribution. I strongly support her view that the more choice and competition we can introduce to the provision of services, the better value for money we are likely to get.

Mr. Blunkett: I notice that the hon. Member for Harrow, East (Mr. Dykes) questions the Secretary of State on the reconstruction, not the removal of the poll tax. The Secretary of State is now engaged in deliberations. Does he agree with the Audit Commission that people on nil or very low income should be exempted from paying, because of the cost of collection and the unfairness, or with his colleague the Minister for Local Government and Inner Cities, who earlier this month said:

"Labour is in great peril if it gives up the principle that everybody should make a contribution to the cost of local government, because that principle is widely accepted."—[*Official Report*, 19 February 1991; Vol. 186, c. 198.]

The two things are contradictory. If the Secretary of State is intent on introducing a floor tax, does not he accept that the only way to fulfil the wishes of the Minister of State is to maintain both a floor tax and the poll tax?

Mr. Heseltine: The hon. Gentleman can rest assured that my hon. Friend the Minister of State makes a vital contribution to the review, as does the Audit Commission.

Litter

13. **Sir Fergus Montgomery:** To ask the Secretary of State for the Environment when the regulations under the Environmental Protection Act 1990 relating to litter came into force.

The Minister for the Environment and Countryside (Mr. David Trippier): The provisions about the fixed penalty scheme and the increase in the maximum fine for littering from £400 to £1,000 came into force on 13 February. The new duty to ensure that land is kept clear of litter and refuse will come into effect on 1 April 1991. I will be placing a full detailed timetable in the Library.

Sir Fergus Montgomery: I thank my hon. Friend for that reply. Should not the Government set a good example? Will he consider removing Crown immunity?

Mr. Trippier: I am happy to tell my hon. Friend that we have decided to remove Crown immunity, which means that every Government Department will have to comply with the litter provisions of the Environmental Protection Act 1990. I trust that all Departments will therefore set an excellent example to the rest of the nation.

Mr. Eastham: It is about time that we gave the confectionery industry some guidelines about packaging. Often sweets are covered by two or three pieces of paper which increases unnecessarily the amount of litter that has to be collected. The problem could be greatly reduced.

Mr. Trippier: I am very interested in what the hon. Gentleman says. Within the Department we have already set up a working party to deal with waste minimisation, which is precisely the point to which the hon. Gentleman has drawn the attention of the House. Last week I had an opportunity to visit Germany and was very interested in the waste minimisation proposals that are being introduced by the federal Government there. Those proposals will cover the packaging problem. It will be interesting to see how the Germans implement their legislation and I shall be fascinated to see whether it can be replicated here.

Housing

14. **Mr. Colin Shepherd:** To ask the Secretary of State for the Environment when he will next meet the chairman of the Housing Corporation to discuss the aspirations of non-metropolitan district councils in respect of their responsibilities towards housing.

Mr. Yeo: My hon. Friend the Minister for Housing and Planning has regular meetings with the chairman of the Housing Corporation, with whom he discusses a wide range of housing issues.

Mr. Shepherd: When my hon. Friend discusses these matters with the chairman of the Housing Corporation will he place great emphasis on the distribution of the resources of the corporation between metropolitan and non-metropolitan districts? Is he aware, for example, that in the west midlands region in 1989-90 more than 90 per cent. of the corporation's resources went into the west midlands county—say, Staffordshire—leaving the vast area of Herefordshire, Worcestershire, Warwickshire and Shropshire bereft of resources? Some district councils are going out of their minds in their efforts to discharge their responsibility to provide housing. Housing associations are lined up and ground is lined up, but the resources are not available.

Mr. Yeo: I appreciate my hon. Friend's concern. From 1992-93, we shall require the Housing Corporation to meet fully the requirements of the housing needs indicator. I hope that this will be helpful to the local authorities to which my hon. Friend refers. Although, in the current year, the corporation has fallen some way short of its target for new housing in rural areas, it assures me that it will make up the shortfall over the next three years. Against the background of a near-doubling of the resources that we are devoting to the corporation, there will be a substantial increase in the number of new units being provided in rural areas—more than 6,500 over the next three years. In addition, we have given local authorities the chance, in the next financial year, to bid for another £50 million of credit approvals—again, specifically earmarked for low-cost housing in rural areas. The

Government give substantial support to the Rural Housing Trust, whose objective is to extend the coverage of the housing association movement in rural areas.

Mr. Ron Brown: Does the Minister understand that if there is a ceasefire in the Gulf—and there should be—and if the squaddies come home, they will fight against homelessness, against cardboard city, against the poll tax and against the ravages of Toryism? That is what frightens the Government. The war should be stopped, so that our people may come home and join us in the general struggle against injustice.

Mr. Yeo: I am grateful to the hon. Gentleman for his comments, although they fall rather wide of the responsibilities of my Department. I assure the House that my hon. Friend the Minister for Housing and Planning and I, together with our colleagues in the Ministry of Defence, will make certain that the right kind of accommodation is available for everyone who returns from the Gulf.

Local Government Finance

16. **Mr. Teddy Taylor:** To ask the Secretary of State for the Environment how many letters he has received from the general public on the issue of the community charge in 1991.

Mr. Portillo: About 9,000.

Mr. Taylor: Does the Minister agree that much of the criticism of the poll tax, or community charge, would be better directed at overspending and wasteful councils? Before he makes up his mind about this great reform, will he come to Southend-on-Sea, where, just over a year ago, the Liberal-Labour council imposed a poll tax of £420, causing great hardship to the poor? Then the Conservatives took over, and the poll tax was reduced on two occasions—standing now at £340. If the Minister were to come to Southend, he would realise that most of the complaints about the terrible hardship that is being caused should be directed at councils that waste money irresponsibly, not at the principle itself.

Mr. Portillo: I am tempted by my hon. Friend's invitation to visit Southend. I had the privilege of meeting his local authority not long ago. I was astounded that, having cut the community charge last year, the local authority had been able to do it again, making it two years in a row. That shows that it was no fluke. The local authority is dedicated to reducing the overspending of the previous Labour-Liberal council. I pay tribute to it and to my hon. Friend for keeping up the pressure.

Rented Housing

17. **Mr. Kirkwood:** To ask the Secretary of State for the Environment what steps he is taking to increase the availability of low-cost rented accommodation; and if he will make a statement.

Sir George Young: The Government have taken a variety of measures to increase the supply of low-cost rented housing. Public resources through the Housing Corporation for the development of new housing by housing associations will increase from £1·2 billion this year to over £2 billion by 1993-94. Together with associations' new ability to draw in private investment, that will permit an increase in output from 21,000 last year to about 40,000 by 1993-94. Deregulation of the private rented sector, the business expansion scheme, the exceptions planning policy for low-cost housing in rural areas and the estate action programme are also helping to make more properties available for rent.

Mr. Kirkwood: Notwithstanding the increase in housing association and Housing Corporation cash that the Minister has just announced, does he accept that funding does not begin to match the demand and need identified by the Housing Corporation and the housing associations for long-term provision of housing? Will he think again about the possibility of increasing that budget?

Provided that the standards of provision are adequate, will the Minister consider making it easier to give financial incentives to those who have spare rooms to make them available and so bring people off the streets as a transitional stage towards the provision of longer-term accommodation?

Sir George Young: I have sympathy with the hon. Gentleman's point, which is also constantly pressed on me by my hon. Friend the Member for Billericay (Mrs. Gorman)—the concept of the friendly landlady. However, it is a matter for my right hon. Friend the Chancellor of the Exchequer because it involves tax incentives. Of course, I shall ensure that the hon. Gentleman's suggestion is brought to his attention.

Points of Order

3.31 pm

Mr. Tim Devlin (Stockton, South): On a point of order, Mr. Speaker. Do you agree that, when we reached Question No. 10, which referred to Langbaurgh, Middlesbrough, Hartlepool, Stockton and North Tyneside, the reason that you were unable to call me to make a point about the extremely high-spending Labour councils was because no Labour Members——

Mr. Speaker: Order. I cannot give an explanation of my discretion in these matters.

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Speaker.

Mr. Speaker: Order. Perhaps the hon. Gentleman would sit down for a minute. I can give no bonus points for the sort of behaviour in which he constantly indulges, but I shall hear him now.

Mr. Banks: My point of order, Mr. Speaker, is that I wish to apologise to you for my outrageous behaviour in challenging your partiality in calling the hon. Member for Surbiton (Mr. Tracey) on a question about homelessness in Greater London. As you know and I know, the hon. Gentleman is the chair of the London group of Conservative Members of Parliament——

Mr. Speaker: Order. As a matter of fact, I did not know that. However, I do know that the hon. Member for Surbiton (Mr. Tracey) represents a Greater London seat.

Mr. Hugh Dykes (Harrow, East): On a point of order, Mr. Speaker. With respect, I think that I was on my feet before the hon. Member for Newham, North-West (Mr. Banks)——

Mr. Speaker: Order. That may be so, but I have discretion in these matters.

Mr. Dykes: Indeed, Mr. Speaker. Despite all your long years of distinguished service in the Speaker's Chair, were you not deeply shocked by the hysterical display of petulant anger when you called my hon. Friend the Member for Surbiton (Mr. Tracey)——

Mr. Speaker: Order. I am frequently deeply shocked but I try not to show it.

Mr. Derek Conway (Shrewsbury and Atcham): On a point of order, Mr. Speaker—I thought that you might like a genuine one for a change. We have discussed before the closure of the side galleries following the demonstration by those opposed to the Gulf war. Now that feeling about the British position in the Gulf is perhaps less emotive among those opposed to it, will you reconsider the decision to close the galleries? That is especially important before Budget day, when there is so much pressure for seating. The officials in the Admission Order Office are helpful to hon. Members, but their hands are tied until the ruling is rescinded.

Mr. Speaker: That matter is constantly under review. The House would expect me to take action to protect hon. Members, but I shall bear in mind what the hon. Gentleman has said.

Mr. Alan Williams (Swansea, West): On a completely different and important point of order, Mr. Speaker. It has just been announced on Baghdad radio that Iraq is willing to abandon all claims to Kuwait, to discuss reparations and to release all prisoners of war as soon as a ceasefire is arranged. I realise that that is a preliminary announcement, and we are always dubious about what is said, but if that information proves valid, we might want a statement at 7 o'clock or later this evening. Can that be conveyed to the appropriate Minister?

Mr. Speaker: I thank the right hon. Gentleman for having brought that welcome piece of news. I hope that it turns out to be true. I am sure that what he has said will have been heard by those on the Front Bench.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 15 MARCH

Members successful in the ballot were:

Mr. Tam Dalyell

Mr. Tam Dalyell (Linlithgow): For debate on Friday 15 March, I have selected the subject of the ecological consequences of the Gulf war and the actions that are being taken by Her Majesty's Government and members of the coalition to cope with oil slicks, Gulf oil fires, dysentery, typhoid and other related problems in Iraq, and with casualties on both sides. *[Interruption.]*

Mr. Speaker: Order. That is the old procedure. The hon. Gentleman is empowered to say that.

Mr. Lewis Stevens

Mr. Gerald Howarth

BILLS PRESENTED

Age of Legal Capacity (Scotland)

Sir Nicholas Fairbairn, supported by Sir David Steel, Mr. Menzies Campbell, Mr. Bill Walker and Mr. Brian Wilson, presented a Bill to make provision in the law of Scotland as to the legal capacity of persons under the age of 18 years to enter into transactions, as to the setting aside and ratification by the court of transactions entered into by such persons and as to guardians of persons under the age of 16 years; to make provision in the law of Scotland relating to the time and date at which a person shall be taken to attain a particular age; and for connected purposes. And the same was read the First time; and ordered to be read a Second time upon Friday 8 March and to be printed. [Bill 95.]

Hare Coursing

Mr. Harry Cohen, supported by Mr. Tony Banks, Mr. Harry Barnes, Mrs. Rosie Barnes, Mr. Gerald Bermingham, Mr. Andrew Bowden, Mr. Peter Griffiths, Mr. Doug Hoyle, Mr. Simon Hughes, Mr. Steve Norris, Mr. Robin Squire and Mr. Andrew Welsh, presented a Bill to make hare coursing illegal: And the same was read the First time; and ordered to be read a Second time upon Friday 8 March and to be printed. [Bill 96.]

Zoo Animal Welfare

4.37 pm

Mr. Phillip Oppenheim (Amber Valley): I beg to move,

That leave be given to bring in a Bill to make further provision for the welfare of zoo animals.

I should say at the outset that the Bill has nothing whatever to do with working conditions in the Palace of Westminster.

The Zoo Licensing Act 1981 was a major and welcome step forward which has had a significant beneficial impact. I pay tribute to my hon. Friends the Members for Plymouth, Drake (Dame J. Fookes) and for Dudley, West (Dr. Blackburn), as well as to the hon. Member for Wentworth (Mr. Hardy), who played an important role in promoting and improving the Bill.

British zoos are not particularly bad by international standards. Anyone who has visited zoos in developing countries will no doubt have seen harrowing scenes of animals in cramped unnatural conditions. I well remember not long ago going to a zoo in China and seeing a lioness in a dark, damp, concrete cell 6 ft by 12 ft being taunted by people throwing cigarette ends at her. In the same zoo I saw a lone panda, supposedly China's national animal, in a completely unsuitable concrete pen without a companion and with no greenery whatever.

Mrs. Teresa Gorman (Billericay): No bamboo shoots?

Mr. Oppenheim: Not one.

By contrast, good British zoos and safari parks make a genuine effort to look after their animals properly. Glasgow zoo is a good example of one that is attempting to take account of the animals' natural habits and instincts and to keep them occupied and stimulated, and I welcome those efforts.

Despite certain improvements as a result of the 1981 Act, major problems remain. They have been highlighted by an admirable organisation named Zoo Check, and by the Royal Society for the Prevention of Cruelty to Animals' 1988 report, which was based on a large survey of British zoos. The problems they revealed relate not only to obvious shortcomings such as inadequate and cramped accommodation. Astonishingly, the RSPCA survey showed that only two zoos were required by their licence to ensure suitable social groupings of the animals that they kept. The RSPCA reported several instances of single representatives of highly social species, which is a very cruel practice.

Many zoos had failed to undertake the improvements required by their licences within the specified period, which shows the serious shortcomings of existing legislation. I will highlight one or two of them. Currently, most inspectors come from within the zoo industry, which is not always a good idea. Also, inspections are made only every four or six years, and they should be made annually. Mandatory standards should be established and enforced by law, and the implementation of inspectors' recommendations should also be mandatory in the granting of licences. Too often in the past, local authorities have ignored recommendations when granting licences.

My final point relates to the role of local authorities as licensing bodies. That is an unsatisfactory arrangement in many respects, because of the conflict of interests. Many local authorities own zoos, or lease land property to zoos —and often they are keen to keep open zoos as a local attraction, rather than to prioritise the welfare of the animals that the zoos contain. Consequently, they are frequently unwilling to take action where animals are kept in unsuitable conditions.

The Bill's main aim is to encourage amendments to the existing law, but I hope that, in the longer term, more thought will be given to the whole question of zoos. They were originally established to allow research, but that is no longer their prime purpose. Zoological research is often more satisfactorily undertaken in the field. Subsequently, zoos were considered primarily as places of entertainment and perhaps of education.

However, the superb wildlife programmes that are now shown on television make it no longer necessary or desirable to keep animals cooped up in cages just to entertain or educate. One must question the educational value to children of seeing animals cooped up in cages in an artificial environment, in conditions that cause them extreme stress. If we are to use animals for our entertainment, it is incumbent upon us to keep them in humane conditions.

In this day and age, the only real justification for zoos is as centres for the conservation of endangered species. I hope that the Government will consider that argument in relation to London zoo in particular. It has already received large sums of Government money, and is actively lobbying for even more. Such grants should be made conditional on major improvements, with the aim of turning zoos into centres for conservation, which could educate the public about the problems that lead to certain species being endangered. I hope that zoos in this country and throughout the world will develop in that way in future. If they do, they will carve out for themselves a valuable role in conservation and education.

Animals are not machines, but sensitive beings capable of feeling unhappiness. Man is the most powerful species on earth, and we have a duty of care towards weaker animals. If we are to keep animals in zoos, and if we consider ourselves to be a civilised society, that must be done in a way that respects the animals' psychology. I commend the Bill to the House.

3.45 pm

Mr. Tam Dalyell (Linlithgow) *rose*——

Mr. Speaker: Does the hon. Gentleman intend to oppose the Bill?

Mr. Dalyell: Yes. I do not think that the ten-minute Bill procedure is the right way to go about this. I also take exception to a number of the implications in the speech that we have just heard.

For instance, the hon. Member for Amber Valley (Mr. Oppenheim) referred to Glasgow zoo. Whatever may have been the case many years ago, Graham Law and others have made enormous advances——

Mr. Oppenheim: I said that.

Mr. Dalyell: The general implication was that there was considerable dissatisfaction. I listened to what the hon. Gentleman was saying. The truth is—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Linlithgow (Mr. Dalyell) has the right to oppose the Bill.

Mr. Dalyell: The truth is that many zoos are trying to make great progress. The hon. Gentleman did not name

[Mr. Dalyell]

any that were not. I give the example of Glasgow, which the hon. Gentleman himself mentioned. Many years ago, the bears had only 0·4 hectares of space, and kept strutting up and down. Now, they have 3 hectares. A whole series of challenges has been made for bears at that zoo; it is not true to say that the conditions are cramped. Most zoo owners are very enlightened, and are doing their best to improve matters.

Secondly, I do not accept the hon. Gentleman's criticism of the local authorities. Thirdly, and more important, he attacked the keeping of animals for research purposes. Contrary to his implication, the captive breeding programmes are very important. I pay tribute to those —for instance, Roger Wheater in Edinburgh—who have pioneered the system. We need not legislation but resources if we are to return to the desired system of proper landscaping: the Hagenback system.

Fourthly, if parliamentary progress is to be made, I suggest that the hon. Gentleman persuade some of the Ministers to devote more resources, to, for example, the natural parks system set up by the Scottish Natural Heritage Bill, which some of us are discussing in Committee every Tuesday and Thursday. That is the way to conduct research, and to implement what Markowitz and others have achieved in the field of animal psychology.

If the resources are there, the House should be discussing a number of other matters. We should currently be considering how to save many of the birds and animals that risk extinction because of what has happened in the Gulf—for example, the green turtle, the hawksback turtle and the Socotra cormorant—as well as the coral ecosystems. That is where the resources should go.

Finally, I oppose the Bill on the ground of what the hon. Gentleman said about inspections. If he is to talk of annual inspections, a representative of the Government had better say what resources will be devoted to the appointment of more inspectors, who will be capable of coping with the problems.

Perhaps my deepest objection is that we need not the hon. Gentleman's Bill, but legislation on the importation of birds for the bird trade, which reeks of a cruelty beyond anything in our zoos.

Mr. Tony Banks (Newham, North-West): That is true.

Mr. Dalyell: I am glad to have the support of my hon. Friend the Member for Newham, North-West (Mr. Banks) and others, who know a great deal about the subject. I am not a universal expert, but I know rather a lot about zoos. I took some soundings, because I did not know what the hon. Member for Amber Valley was going to say; on the basis of what he has said, especially by implication, I for one oppose his Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Phillip Oppenheim, Dame Janet Fookes, Mr. Gerald Bowden, Mr. David Sumberg, Mr. James Pawsey, Mr. Andrew Mackay, Mr. Kenneth Hind, Mr. Lewis Stevens, Mr. Simon Burns, Mr. Cecil Franks, Mr. Michael Brown and Mr. David Evennett.

Zoo Animal Welfare

Mr. Phillip Oppenheim accordingly presented a Bill to make further provision for the welfare of zoo animals: And the same was read the First time; and ordered to be read a Second time upon Friday 8 March and to be printed. [Bill 93.]

Social Security

3.52 pm

The Secretary of State for Social Security (Mr. Tony Newton): I beg to move,

That the draft Social Security (Contributions) (Re-rating) Order 1991, which was laid before this House on 13th February, be approved.

I understand that it would be for the convenience of the House for us also to consider the following motions:

That the draft Guaranteed Minimum Pensions Increase Order 1991, which was laid before this House on 11th December, be approved.

That the draft State Scheme Premiums (Actuarial Tables) Amendment Regulations 1991, which was laid before this House on 18th February, be approved.

That the draft Social Security Benefits Up-rating Order 1991, which was laid before this House on 13th February, be approved.

That the draft Social Security (Contributions) Amendment Regulations 1991, which was laid before this House on 13th February, be approved.

That the draft Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment Regulations 1991, which was laid before this House on 21st February, be approved.

That the draft Statutory Sick Pay (Rate of Payment) Order 1991, which was laid before this House on 13th February, be approved.

That the draft Statutory Sick Pay (Small Employers' Relief) Regulations 1991, which was laid before this House on 20th February, be approved.

Mr. Speaker: Will that be for the convenience of the House?

Hon. Members: Yes.

Mr. Newton: It is just possible that hon. Members may also agree that the main interest of the House and perhaps the main focus of the debate will be on the draft rating order.

However, in line with my duties to the House, I must first refer to the purpose and content of the other orders and regulations, although I do not propose to refer to the order concerned with state scheme premiums which is entirely technical, not to say dense. However, I am prepared to say something about that order if pressed.

The draft contributions re-rating order is, as always, concerned with national insurance contributions which determine people's entitlement to pensions and other important contributory benefits and which are the source of finance for more than half of what is spent each year on social security. A notable feature of the draft re-rating order is that, for the eighth year in succession, we propose no increase in the main rates—the class 1 rates paid by employed people and their employers.

As the House will already be aware, this time I have been able to propose a reduction in the rates of national insurance contributions payable by employers. I propose to reduce the standard rate from 10·45 per cent. to 10·4 per cent. and, perhaps more important, to reduce the lower rates, which are currently 5 per cent., 7 per cent. and 9 per cent. in respect of employees earning up to £175 a week, to 4·6 per cent., 6·6 per cent. and 8·6 per cent. respectively. Those changes will reduce employers' costs by about £250 million. I remind the House that they are likely to be especially helpful to employers—often smaller employers—whose employees are among the less highly paid, and will go a considerable way towards offsetting any additional costs that employers meet as a result of changes to statutory sick pay made by the Statutory Sick Pay Act 1991.

The House will be aware also that there are boundaries for contribution liability, called the lower earnings limit and the upper earnings limit, and they will change as usual. The LEL applies to employers' and employees' share of contributions, but the UEL applies to the employees' share only. The order does not set those two earnings limits; that is done by a set of regulations to be laid after the benefits uprating order has been approved. However, the LEL, which is linked by law to the nearest pound below the retirement pension rate, will be £52 a week, and the UEL will be £390 a week.

The effect of the increase in the lower earnings limit will be to reduce most employees' contributions by 42p a week, or by 30p if they are in contracted-out employment. The effect of raising the upper earnings limit is that those having earnings of £390 or more a week will pay an extra £3·18 a week or £2·50 if they are contracted out.

A few minutes ago, I mentioned the proposed reductions in the rates of contributions paid by employers. Additionally, as on previous occasions, the re-rating order provides that the earnings limit below which they pay lower contribution rates will be increased. From April, employers' contributions will be 4·6 per cent. in respect of employees earning between the lower earnings limit and £84·99, 6·6 per cent. for those earning between £85 and £129·99, 8·6 per cent. for those earning between £130 and £184·99, and 10·4 per cent. for those earning more than £185 a week.

In 1991-92, class 1 contributions, which are the ordinary contributions that most people make, are expected to yield more than £35 billion. As is the case with contributions made in all classes, that revenue will be apportioned between the national insurance fund and the national health service.

I shall now say a word about self-employed people, who pay national insurance contributions in two portions—the flat-rate class 2 contribution and the profits-related class 4 contribution. We do not propose any change to the class 4 rate, which will remain at 6·3 per cent. in the coming year. The profits limits for class 4 contributions, which determine the level of annual profits on which contributions are payable, will once again be increased to £5,900 and £20,280 respectively. The upper profits limit is exactly 52 times the class 1 upper earnings limit.

We propose also to increase the class 2 contribution by 60p, to £5·15, per week from next April. That class 2 rate is broadly linked to the class 1 lower earnings rate, and its increase reflects the proposed rise in that limit. The result of all that is that self-employed people with profits at or below the present upper limit of £18·200 will pay about £28·35 less in class 4 contributions per year, and that will largely offset the increase of £31·20 in their class 2 contributions. Those with higher profits will pay up to £102·69 more in class 4 contributions. Self-employed people are expected to contribute nearly £1·4 billion overall in contributions in 1991-92.

Certain categories of people—for example, those who are not gainfully employed or who are receiving contributions credits, such as people who retired before the age of 60—can pay class 3 contributions if they wish. They are voluntary contributions. We propose to increase class 3 contributions by 60p, making them £5·05 per week.

[Mr. Newton]

As usual, the Government Actuary's report on the effect of our proposals on the national insurance fund has been laid with the re-rating and uprating orders. It is estimated that the total income received by the national insurance fund will be around £33·5 billion in 1991-92. Total expenditure, including administration, is estimated at £34·5 billion. However, although expenditure is likely to exceed income, the balance is expected to remain comfortably above the minimum recommended by the Government Actuary.

The changes in national insurance that I have just described will determine the contributions of the vast majority of people, but I should like to say a word about one interesting corner of the system which is of particular interest, although to only a limited number of hon. Members—the Social Security (Contributions) Amendment Regulations 1991, which deal with the special rate of class 2 contribution that is paid by share fishermen. I notice that the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) is pricking up his ears. He is one of the hon. Members whom I had in mind. I refer to the 13,000 people who are jointly engaged in a fishing enterprise and who are paid wholly or in part by a share of the profits from the catch. Unless they are working under a contract of service, they are regarded as self-employed for national insurance purposes.

Unlike self-employed people generally, however, under a long-standing arrangement, share fishermen can receive unemployment benefit and industrial injuries benefits. They earn their entitlement to these benefits by paying a special, enhanced class 2 contribution. This consists of the standard class 2 contribution paid by the majority of self-employed people, with an additional amount related to the costs of the extra benefits payable to them.

Hon. Members—including the hon. Member for Roxburgh and Berwickshire—will recall that one of the measures contained in the Social Security Act 1990 was the removal from the scope of the national insurance fund of industrial injuries benefits, which are now met from general taxation. Clearly, therefore, it is inappropriate for share fishermen to pay extra in contributions for benefits that are no longer funded from these contributions. From April, we propose that share fishermen should no longer pay this extra amount, although I hasten to reassure the House that this change will have no effect on their rights to benefits.

To make the position clear in financial terms, I should explain that, with additions for both unemployment benefit and industrial injuries benefits, the share fishermen's contribution currently stands at £6·15. By removing the addition for industrial injuries benefits, but adding the normal increase in the standard class 2 contribution, which this year is 60p, the share fishermen's contribution rate from April will be £6·20. This means that, for a very modest increase of 5p a week on their contributions, share fishermen will continue to receive their extra benefits in the same way as before, as well as benefiting from the coverage given by standard class 2 contributions. I had hoped that the hon. Member for Roxburgh and Berwickshire might pop up to say what good news that is and what a generous Government we are.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Hope springs eternal. Although this welcome rationalisation reconciles the longer-term problems faced by share fishermen, they also face more urgent short-term problems, such as the eight-day tie-up period during which they are excluded from unemployment benefit. Will the right hon. Gentleman look at that as a matter of some urgency, to try to bring about some short-term relief in the coming year?

Mr. Newton: From long experience in the House, perhaps I should have known that it is impossible to do good work without somebody seeking to get one to do more. I shall, of course, look at the points that the hon. Gentleman has raised, but I hope that he will understand me when I say that I shall do so without commitment. That matter has the air of a point that somebody has looked at fairly closely several times previously——

Mr. Kirkwood: To no useful effect.

Mr. Newton: As I have said, I can make no commitment —only an expression of good will in the hon. Gentleman's direction.

I turn with some relief, which I suspect is shared by the House, from the rather tedious details of national insurance to the Statutory Sick Pay (Rate of Payment) Order, which represents changes that are part of a wider package of shorty-term sickness provisions for those in employment, other elements of which are contained in what is now the Statutory Sick Pay Act. As the ground was well, not to say exhaustively, trodden during the debates on the Statutory Sick Pay Bill both in this House and in another place, I shall not take the time of the House this afternoon by going over it again in great detail. I simply state briefly and factually that the order increases the lower rate of SSP by the full retail prices index increase of 10·9 per cent. from £39·25 to £43·50 a week and leaves the higher rate unchanged at £52·50 a week.

At the same time, the earnings threshold between the two rates will increase from £125 to £185 per week, thus extending the coverage of the lower rate across the whole range of earnings for which employers pay lower rates of national insurance contributions. Those proposals will reduce public expenditure on SSP by about £100 million in 1991-92. *[Interruption.]* In view of the faint sounds of muttering from Oldham, I should like to remind the House once more that the majority of employees will see no effect on the total payments that they receive when sick. That is because of the way in which occupational sick pay under employers' schemes interacts with SSP.

To pre-empt one of the points which the hon. Member for Oldham, West (Mr. Meacher) will undoubtedly make, not all employees are covered by such schemes, either because they are among the 9 per cent. of employees who work for an employer who does not have an occupational sick pay scheme or because they do not satisfy the qualifying conditions of their employer's scheme. But I hope that the hon. Gentleman will recognise that those who do not satisfy the qualifying conditions, and possibly a significant proportion of the others, will be mainly employees who are modestly paid or who work part-time and will generally be on the lower rate of statutory sick pay. Their entitlement once again will be fully protected in real terms by the increase that is proposed in the order.

Before I finish dealing with SSP, I should refer to the Statutory Sick Pay (Small Employers' Relief) Regulations,

which are also in the package before the House. As hon. Members will realise, those regulations are in consequence of the Statutory Sick Pay Act 1991, passed earlier this month. The regulations enable small employers who experience abnormal sickness in their work force to revert to an SSP reimbursement rate of 100 per cent., instead of 80 per cent., after an employee has been sick for a spell of six weeks or more.

I do not intend to go over the background to those provisions today, because they were the main focus of our recent debates on the Statutory Sick Pay Act 1991, but I can confirm that, as foreshadowed in that debate, the regulations provide for an employer to be defined as a small employer where his contribution payments in the preceding tax year do not exceed £15,000. Small employer's relief—that is, 100 per cent. recovery—will apply once an employee has been entitled to SSP for six weeks in a period of incapacity for work. The regulations also modify the provisions on the position of new employers.

Before I move on, I want to say a few words about the proposals for statutory maternity pay. As I said in my uprating statement, the considerations which apply to statutory maternity pay are different from those which apply to statutory sick pay. In particular, there is much less occupational cover for maternity than for sickness. So we propose to move away from the link which currently exists between the flat-rate element of statutory maternity pay and statutory sick pay.

Indeed, the main benefits uprating order increases the rate of statutory maternity pay by £25 a week to £44·50 per week, which is a full £1 above the retail prices index increase of 10·9 per cent. In other words, a real, additional £1 is being added. Indeed, a real, additional £1 is also being added to the state maternity allowance, which will go up by £4·90 to £40·60 a week. The effect of that is a real increase in benefit for some 315,000 mothers-to-be. That is a modest improvement but a useful and welcome one, which has been less noted than I should have wished.

Mr. Frank Field (Birkenhead): The Secretary of State should have made it more generous.

Mr. Newton: It is £5 million, if I remember rightly, so it is a significant sum, nevertheless.

I will touch only briefly on the Guaranteed Minimum Pensions Increase Order, which is in line with my statutory duty under the Social Security Act 1986. It requires occupational pensions schemes which are contracted out of the state earnings related pension scheme to give post-award increases in guaranteed minimum pensions earned since the 1988-89 tax year of 3 per cent. from 6 April this year.

On child benefit, as I made clear in my uprating statement and am happy to have another opportunity to make clear today, the benefit is and will remain a strong element of our policies for family support. As the House knows, I decided that the right course of action this year was to give practical recognition to the fact that all families with children face additional costs compared to families with none, by proposing an additional payment of child benefit of £1 a week for every family with children.

That will be paid for the eldest eligible child in each family, and will go to around 7 million claimants, in most cases the mother. The net cost will be over £250 million a year. As the extra £1 will go to every family and will indeed be larger than a retail prices increase would have been in one-parent benefit—which is itself defined as an increase for the eldest eligible child—I decided that, on this occasion, it would not be right to make a separate increase in that benefit as well.

The extra payment for all families with children complements the real terms increases in income-related benefits which we have introduced over the past three years to focus additional help on the less well-off families with children. Families on income support and family credit will also, of course, have their benefits increased From April to compensate them for price increases in the usual way. Taken together with the earlier real increases, it means that spending on income-related benefits for families with children is expected to be worth some £400 million more in real terms in 1991-92 than in 1987-88.

The Draft Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment Regulations are the legislative means by which the extra £1 a week will be implemented. They provide for £1 extra per week to be paid for the only, elder, or eldest child for whom a family is receiving child benefit at any time. For the sake of equity, there are provisions to ensure that every family receives one extra amount of child benefit each week.

Historically, there has always been a link between child benefit and other benefits for children. When child benefit for the first child in a family was increased from £1 to £2·30 in April 1978 by the previous Labour Government, there was a corresponding decrease of £1·30 in the rate of other benefits for that child. We therefore propose to make further regulations to be laid before Parliament in due course to ensure that the general principle, that benefit rates for children should be based on the overall level of child support, continues to apply. We propose that benefits payable under the Social Security Act 1975 in respect of children be adjusted where the child in question is one for whom the increased rate of child benefit is payable.

The draft uprating order provides for an across the board increase from £9·65 to £10·70 in the dependant's additions to contributory benefits. The effect of the proposed overlapping benefit adjustment to which I have just referred will be to reduce the amount of such a benefit by £1 where the increased child benefit is in payment; £1 is, of course, the amount by which child benefit is increased.

Mr. Graham Allen (Nottingham, North): I am pleased to see the Secretary of State in good health. If the worst came to the worst, and he were to fall under the proverbial bus, can he tell those in receipt of child benefit anything about the reports in *The Independent on Sunday* of serious splits in his ministerial team, of the think tank and of Mr. David Willetts coming up with other ideas? Can he reassure us that, if he were to leave his present position, child benefit would remain safe?

Mr. Newton: The hon. Gentleman should perhaps have taken the answer to his question as already having been given in my firm reiteration, made to the House and elsewhere on several occasions, that child benefit is and will remain a strong element in our policies for family support. I made that statement on 24 October, as a statement on behalf of Her Majesty's Government

[Mr. Newton]

collectively; it was not made off the cuff by the Secretary of State for Social Security. That seems to make the position absolutely clear.

Mr. Frank Field: It is possible to accept that the Government now, thank goodness, have no intention of abandoning the child benefit scheme—they want to spend the money within that framework in a different way. Press reports sometimes suggest that a Tory party inquiry is being held, sometimes a departmental one, on the various options. Is it possible for the Secretary of State to tell us whether such inquiries are taking place in the Department, in the Tory party or in both?

Mr. Newton: I do not believe that it is possible for me to answer the hon. Gentleman's question in the way in which it has been phrased, but it is certainly not true that all thinking has ceased on the Conservative Benches about possible further development of the benefit system—I presume that the same is true of the Opposition Benches. I am not able to predict the outcome of regular consideration of what is the right way in which to deal with social security matters.

Mr. Field: I do not expect the Secretary of State to tell us the outcome of reviews, but I asked whether such reviews are taking place and where.

Mr. Newton: In that case, the answer to the hon. Gentleman is that, such is the liveliness and vigour of all of us in the Conservative party—I was grateful to note the remarks of the hon. Member for Nottingham, North (Mr. Allen) about my appearing to be in reasonable health—that we are constantly thinking about social security matters in all sorts of ways, at every level and in a variety of forums.

Mr. Field: That is not a good answer.

Mr. Newton: I think that it is a very good one, and I do not propose to try to come up with something better.

The draft Social Security Benefits Up-rating Order 1991 provides for an increase in retirement pensions, and in virtually all other benefits that are not income-related, of 10·9 per cent. That is the increase in prices that took place during the year ending September 1990. As for income-related benefits, the draft order provides for a general increase of 8·1 per cent., which is the increase in retail prices, other than housing costs, over the same period. That difference, as is now well understood, reflects the fact that, for people on income support, help with rent is separately available through housing benefit and help with mortgage interest separately within income support itself.

Rather than rehearse all the many benefit rates to which the general increases give rise—they are set out in the order—it would be more helpful, especially in view of the relatively short time that the House has to consider the order, to concentrate on two ways in which its provisions improve on the general pattern that I have outlined.

This year, we are proposing to spend an extra £80 million through a real increase in the basic pensioner premium that is paid to people on income support aged 60 to 74. That increase will directly benefit about 400,000 pensioners on income support and will feed through to housing benefit and community charge benefit. The premiums for single pensioners in that age group will go up by an extra £1 a week, over and above a straightforward uprating, while couples will receive an extra £1·50 a week. That increase builds upon the improvements we made to the premium structure for other pensioner groups on income support in October 1989, which provided £200 million of extra assistance in its first year.

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman give way?

Mr. Newton: I could almost have predicted an intervention from the hon. Gentleman.

Mr. Winnick: Perhaps that is true, as I want to refer to a report in *The Independent* today, which says that there were 2,347 more deaths, mainly among the elderly, than was expected during the cold spell. The charity Winter Action on Cold Homes puts a great deal of blame for those deaths on inadequate heating, fuel poverty and the like. Although I was pleased that two payments of £6 were made, far too many elderly people are simply financially incapable of keeping their homes warm, and that leads to a great deal of deprivation and, sadly, death. I hope that the Government will take more effective action than they have so far to deal with that problem.

Mr. Newton: I have seen the report in *The Independent* this morning and the comments that go with it, but I cannot pretend to have had an opportunity in the intervening period to make a detailed analysis of the figures underlying it. I learned from my previous experience in the job now done by my right hon. Friend the Minister for Social Security and Disabled People, when there was discussion and controversy on the subject, that this country is not alone in experiencing the problem of higher mortality rates in winter than in summer. It is clear that the causes of that problem, which go well beyond this country, are by no means simple to identify or overcome. Those mortality rates include people who, by no stretch of the imagination, could be described as badly off and may be in comfortable and heated residential institutions. It is difficult to draw firm and clear conclusions from the statistics.

I go along with the hon. Member for Walsall, North (Mr. Winnick) in acknowledging that a range of measures is required. I hope that the cold weather payments recently made will make a contribution. In addition, the Government recently introduced—it was contained in the Social Security Act 1989, although it is not strictly a social security measure—a home energy efficiency scheme, the latest version of a number of schemes designed to improve the way in which the houses of elderly people and others are insulated. The advisory services' "keep warm, keep well" campaign, run by Help the Aged, with Government support, can also make a contribution. There is certainly a problem, towards which a range of measures are directed. This Government, and any other Government, would acknowledge that we constantly need to find new ways to address it.

I do not believe that the evidence suggests that the problem can be solved as simplistically as the hon. Member for Walsall, North suggests—by simply using more money on it. The hon. Gentleman intervened at a point in my speech when it was logical to make his remarks, but the paragraph at the end of which he

intervened made it clear that, during the past 18 months, we have directed additional regular, weekly support—worth almost £300 million—to the very groups about whom he is concerned.

Another significant way in which the order varies from the overall retail price index or "Rossi" uprating pattern to which I referred, is the increase in the income support limits governing the amounts payable to those in residential care and nursing homes, by amounts ranging up to no less than £55 a week for a nursing home in Greater London—at an overall cost of £225 million. I should make it clear that, under a technicality, the £10 increase in the London nursing home supplement requires a separate set of regulations distinct from the uprating order under debate.

As the House knows, the balance of the increased limits is weighted towards nursing homes. All the evidence, including the Price Waterhouse survey of costs that we commissioned, shows that that is where large increases are most needed.

In view of some of the comments made, I should emphasise two points about the residential care home limits. First, the basic residential care home limit has increased faster than inflation during the past five years. Secondly—this is too often overlooked in such discussions—the structure includes a separate and higher limit for residential care homes for the very dependent elderly, whose care is obviously likely to entail higher costs. That limit, which covers well over a third of all elderly people on income support in residential homes, is being increased by £15 a week.

I hope that it is in order to refer to a matter which is not about uprating but which is of considerable interest to many hon. Members, including my hon. Friend the Member for Wyre Forest (Mr. Coombs) who has rightly pressed us on it. It is the lump sum made available to those who suffer severe neural or physical damage as a result of vaccination. Such payments are made under the Vaccine Damage Payments Act 1979 and were last increased from £10,000 to £20,000 in 1985, when I held the post now occupied by my right hon. Friend the Minister for Social Security and Disabled People.

I am glad to tell the House that we have decided to increase the amount by a further £10,000 to £30,000, which rather more than restores its value to the 1985 level. The necessary order will be laid shortly. That increase does not represent a changed judgment about the risk of vaccination, but simply our view that it is once again appropriate to increase the payment. I hope that that will be welcome.

Mr. Anthony Coombs (Wyre Forest): I welcome my right hon. Friend's news about the increase. It will be especially welcomed by young people who, through no fault of their own or of their parents, have been damaged by vaccine. The increases are in response to representations that I and other hon. Members have made over the past year. I should like the Minister to look at the rules and regulations under which vaccine damage payments are made. Currently, an 80 per cent. disability has to be proved before any payment can be made. I have urged the Minister in the past to look at this matter, and I hope that he will do so. I thank him for his valuable contribution.

Mr. Newton: I am grateful to my hon. Friend for his comments. I shall consider the issue that he raises but, obviously, I cannot make any commitment at this stage. I pay tribute to him and to other hon. Members for the way in which this issue has been pressed. I am glad that we have been able to announce a response.

Mr. Paul Flynn (Newport, West): While we all appreciate the increase, it seems to be just below the increase in earnings for the period and probably in line with inflation. How many vaccine-damaged children will benefit from the change?

Mr. Newton: As with the previous change, this change will apply to new claims made after a certain date, in this case after 15 April. The reasons for doing it in that way were fully explained in 1985, but I can repeat them if hon. Members wish me to do so. Only about four or five vaccine damage awards are made each year. It is a small scheme, and I hope that it is clear to the House that I am not trying to oversell it. However, the matter has been sensibly and rightly raised, and we have responded to it in the same way.

It is customary in such debates for the Secretary of State to conclude by reminding the House of the huge amounts with which we are dealing. The increase in social security expenditure between this year and next, most of it arising from the uprating order, is nearly £5 billion, and it will take the total next year to well over £60 billion. *[Interruption.]* I wish that Opposition Members would stop muttering.

Mr. Michael Meacher (Oldham, West): Instead of trying to take credit for the fact that the budget has increased by £5 billion a year, the Secretary of State should eat a little humble pie by acknowledging that his economic colleagues have completely lost control of inflation, and that that, and that alone, is the cause of the increase.

Mr. Newton: It is absolutely clear that inflation is falling at a very significant rate, and that is welcome to all of us. The hon. Gentleman might have spotted that, although I felt it, as it were, routinely necessary to refer to these macro-economic figures, I was about to move to a rather different way of bringing my speech to an end.

It is possible to take those huge sums and present whatever arguments we may have as to their basis. I prefer to concentrate on what this is all about—the people we are helping. In raising the national insurance retirement pension by £5·10 for a single person, and by £8·15 a week for a couple, we are firmly maintaining our pledge to raise pensions in line with price rises. In providing a real increase in income support for many less well-off pensioners, we are building on what was done 18 months ago for those in this group who are disabled or who are over 75—taking the total of real additional help to nearly £300 million in less than two years.

With the increase in child benefit, we are helping more than 6 million families, complementing the £400 million of real extra help already provided to families who are less well-off, compared with the position that obtained before the social security reforms of 1988. When all that is taken together with legislation that the House passed recently to bring an additional £300 million a year of help to many disabled people, it will be seen that we can take some pride in this order and in the Government's record.

4.32 pm

Mr. Michael Meacher (Oldham, West): The annual debate on social security uprating is, in effect, a debate on the living standards and prospects of the poorest one third of the nation. On that subject, we have just had a rather modest speech from the Secretary of State. It was a speech full of minor details, but perhaps that is not surprising as, when it comes to protecting the living standards of our poorest citizens, he has a lot to be modest about. However, modesty is not a quality that comes naturally to the present Government. Last July, the then Prime Minister roundly declared:

"all people of all incomes have increased their standard of living under this Government."—[*Official Report*, 24 July 1990; Vol. 177, c. 304.]

Let the Secretary of State say that to the 100,000 claimant households that have not had a penny rise in their benefits since April 1987. Ironically, 24 hours before that declaration by the Prime Minister, the Government published statistics which, for the first time, publicly admitted the opposite.

A Department of Social Security document bearing the sexy title, "Households below average income"—I suppose that only a Government Department could dream up such a title—for which we were grateful, despite its late publication, shows that, between 1979 and 1987, the average income, after housing costs, of the bottom one tenth of the population fell by 5·7 per cent. in real terms, and that the average income of the bottom one fifth of the population fell by 1·1 per cent. in real terms. The 10 million people affected are the subject of today's debate.

Ministers like to say that they have concentrated help on the most needy. I am glad to see that the Minister for Social Security and Disabled People has woken up now that the Secretary of State has finished and I am speaking. On 30 January 1990, he said:

"We have adjusted the system to concentrate help on the poorest elderly and disabled pensioners."—[*Official Report*, 30 January 1990; Vol. 166, c. 211.]

I wrote to the Secretary of State and asked for more details of the poorest 1 million people in this group—the most disadvantaged in our society. After four months, the Minister replied, confirming what we had always suspected—that under the present Government the 1 million in the population with the lowest incomes have suffered a fall in their real living standards of no less than 10 to 15 per cent.

Mr. David Nicholson (Taunton): The hon. Gentleman mentioned comparative modesty between the two Front Benches. He will know that, since 1979, the Government have increased spending on family benefits by 29 per cent. in real terms. When the last Labour Government cut spending on family benefits by 8 per cent., where was the hon. Gentleman and what did he do?

Mr. Meacher: I should certainly like to know where those statistics come from. The hon. Gentleman must know that, during their last term of office, the Government have cut child benefit by more than 25 per cent.

Among the groups that I mentioned—they are the subject of today's debate—one group about which the Government like to claim they are concerned is precisely the group mentioned by the hon. Gentleman, families with children. Indeed, the Minister for Social Security and Disabled People said in his revealing speech a year ago:

"We try to establish those parts of the social security system where the shoe pinches unduly and make adjustments to it. We have helped families on low incomes, whether in or out of work."—[*Official Report*, 30 January 1990; Vol. 166, c. 211.]

On 26 July 1990, the Government published what has really been happening to families on low incomes. I mention that date only because, as hon. Members may remember, it was the day that Parliament rose for the recess. I am sure that my hon. Friends know that there is no more important *Hansard* to read than the one that is circulated after Parliament has closed for the recess. That is when all the unwelcome information that the Government have been trying to conceal for the past year finally sees the light of day. It is worth reading carefully. It shows that where the shoe pinches unduly—the poorest 10 per cent. of families on low incomes—have not been helped by the Government. According to the Government's figures, those people are 7 per cent. worse off in real terms compared with 1979. That is on the record, and I recommend that the hon. Member for Taunton (Mr. Nicholson) look at that *Hansard*.

Mr. Newton: My first point is not my main point, but it needs to be made. The hon. Gentleman appeared to be referring to households on below average income and to the date of publication for certain figures. Those figures were not published on the day that Parliament rose for the recess. I remember that they were published when I was due to appear before the Select Committee on Social Security. We felt that it would be right, if possible, to publish those figures then so that the Select Committee could examine me on them. That must have been before Parliament rose for the summer recess.

I wish to make a more substantive point about the way in which the hon. Gentleman is using the figures. He will acknowledge that he is referring to figures after housing costs, rather than to the total income available to the family. In reckoning their standard of living, most people look at their total income rather than their income after paying their rent or mortgage, although they may need to do that calculation for other purposes.

By concentrating on the figures after housing costs, the hon. Gentleman runs the risk—I put it no higher than that because I am sure that the hon. Gentleman is not seeking to run that risk—of being seriously misleading. I shall give one simple example, which I also gave to the Select Committee last year. If a young couple save £50 a week to put towards a deposit on a house, that £50 will still be in their income after housing costs and they will probably be several deciles up in the tables to which the hon. Gentleman referred. When that couple stop saving £50 a week, but instead start paying £50 towards a mortgage, it becomes a housing cost and the couple drop a decile or two in the tables and are suddenly defined as poor. The only change is that they are putting £50 a week into a mortgage instead of saving £50 a week for a deposit. That shows how absurd some interpretations of statistics can be.

Mr. Meacher: The right hon. Gentleman is not correct on a number of points. First, I was not quoting the "Households below average income" figures; I was quoting *Hansard* for the last day of the Session, which I think was 26 July, and which was circulated 10 days after. It is correct that the HBAI figures were issued two or three days before, but what the right hon. Gentleman does not add is that they had been sat on by the Government for at least a year. They had been promised the Christmas before, they had been promised in the new year and they

had been promised before Easter. We finally had them in the last week of the Session, when it was not impossible but extremely difficult to make use of them in the House.

Whether taking incomes before or after housing costs is the fairest representation of the state of overall income is a genuine issue, but it is curious to hear the right hon. Gentleman make such a point on behalf of a Government, who have constantly said that we should ignore the cost of mortgages in the retail prices index—*[Interruption]*. That is exactly what the Government have repeatedly said. They say that the mortgage element should be put on one side and that we should look at incomes minus mortgage payments. I do not think that I need to take any lessons from the right hon. Gentleman about which is the correct way of representing the figures.

Mr. Frank Field: Is not one of the difficulties that the Government face that they have been hoist on their own low income figures? When the figures after housing costs showed that the poorest were doing twice as well as everybody else, the Government wanted to use them, but when they were revised the Government came up with some rather good reasons why we should not use them. Should not all the data carry a Government health warning, since both sides of the Chamber use figures for political reasons rather than because they reflect what is happening to the poor?

Mr. Meacher: My hon. Friend, who was Chairman of the Select Committee on Social Services at the time, makes a relevant point. The Government statistics at that time were said to show that the poorest 10th—I think that it was the lowest decile—had increased their standard of living twice as fast as the rest of the community. That seemed an incredible claim and the Select Committee and my hon. Friend rightly subjected the Government's statistics to independent assessment by, I think, the Institute of Fiscal Studies. It showed that the figures were bogus. Therefore, we should take into account my hon. Friend's point and the way in which the Government have moved the goal posts by presenting figures calculated on a different basis.

The Government have only released figures for up to 1987. That is just as well for them because 1989 was a bad year, 1990 was a dreadful year and 1991 looks like being a disastrous year, not only for the nation, but above all for those on the lowest incomes. Since 1987, for them—it is mainly for them—unemployment has risen sharply and child benefit has been frozen. It can safely be said that if a quarter of the population were worse off in real terms after eight years of Tory government, as the Government have now admitted, they are even worse off now, after 12 years of Tory government.

We may be told, although the right hon. Gentleman has not yet said so, that all that occurred under the previous regime—the ancien regime. The Conservative party is now the purveyor of the classless society. Frankly, I have never heard such cant. It was the Prime Minister who used that phrase and it was the Prime Minister and the Secretary of State who, five years ago, presided over the legislation that introduced the social fund; that virtually ended free school meals; that abolished entitlement to 90 per cent. of disablement benefit; that extended the penalty for so-called voluntary unemployment from six weeks to six months; that removed all entitlement to benefit for 16 to 17-year-olds which led directly to cardboard city; that hacked £500 million off housing benefit for pensioners and other poor families, and which, according to the National Association of Citizens Advice Bureaux caused 82 per cent. of social security claimants to be worse off.

All those damaging changes were the direct result of the Prime Minister and the Secretary of State and they came into effect in 1988—the same year in which the Prime Minister, who was then Chief Secretary to the Treasury, and a former Chancellor of the Exchequer handed out £2 billion in tax reliefs to the well-heeled and the rich.

I seem to remember that someone once said that people should be judged not by what they say but by what they do. Far from ushering in a classless society, the Prime Minister has handed down some of the most class-conscious and divisive legislation that Britain has suffered since the war. If the Prime Minister really believed in a classless society, he would not be making short-term gestures such as raising cold weather payments by £1 a week for a few elderly people for just two weeks. He would be restoring heating additions to all pensioners in need. He would be reversing the Tory's break of the pension uprating link with earnings, which has made pensioners a class apart—the only people who are denied the rise in living standards enjoyed by the rest of the community.

If the Prime Minister really believed in a classless society, he would not merely be offering an additional £1 in child benefit for just this year for the eldest child only; he would be reversing the four-year Tory freeze on child benefit for all children. If the Prime Minister really believed in a classless society, he would not merely be talking about opportunity and fairness; he would be abolishing the social fund that traps millions of our people deeper into poverty and debt.

Mrs. Marion Roe (Broxbourne): Does the hon. Gentleman agree with the president of Pensioners' Voice, who says that Labour's commitment to pensioners is weak?

Mr. Meacher: I did not see that and it surprises me because we are proposing—I am grateful to the hon. Lady for giving me the opportunity to include this in my speech—an extra £5 a week for the single pensioner, an extra £8 a week for the married pensioner on top of the normal uprating and, even more important in view of the experience of the past decade, to restore the link with earnings. As a result of that link being broken, pensioners have lost £12 a week if they are single and £20 a week if they are married. Our proposal is not weak—it is a formidable commitment.

Mr. Winnick: Is my hon. Friend aware that, whatever criticism Pensioners' Voice may or may not have about our record and commitment, it has only contempt for what the Conservative Government have done and the fact that married pensioners have lost some £23 a week and single pensioners between £13 and £14 a week as a result of the decision taken in 1980? *[Interruption.]* I do not know what the junior Ministers are muttering about, but I know that many pensioners in Britain are bitterly disappointed that they are way behind pensioners in other European countries and that they are being treated with contempt by this Administration.

Mr. Meacher: Labour also should be judged not by what it says but by what it does. The previous Labour Government increased, over five years, the real value of a

[Mr. Meacher]

pension by 20 per cent., whereas 12 years of Conservative government—as the Secretary of State implicitly admitted when speaking about prices indexes—produced a real increase in the value of pensions of next to nothing. That is a formidable difference between the two parties, and one of which I am sure pensioners will take account at the next general election.

Mr. David Sumberg (Bury, South): Does the hon. Gentleman recall that, in January 1987, in the Bill promoted by the hon. Member for Walsall, North (Mr. Winnock), he voted in favour of free concessionary television licences for pensioners? Will the hon. Gentleman confirm that it is Labour's intention to implement such a measure during its first year in office? If so, how much will it cost the taxpayer?

Mr. Deputy Speaker (Mr. Harold Walker): Order. I cannot see how that question arises from the motions on the Order Paper.

Mr. Meacher: I share your view, Mr. Deputy Speaker, that, while I ought to answer relevant questions, I am being dragged a long way from the subject of the debate.

Mr. Peter Bottomley (Eltham): On a point of order, Mr. Deputy Speaker. The hon. Member for Oldham, West (Mr. Meacher) has spoken for 19 minutes, but has not mentioned any of the orders once. If he is allowed to do that, the House ought to be permitted to hear his answer to my hon. Friend's question about concessionary television licences.

Mr. Meacher: In that case, I shall certainly continue with my speech.

For all the Prime Minister's soothing rhetoric, it is obvious that he does not believe in a classless society or in a welfare state for the needy. His record shows that he believes in a welfare state for the wealthy. Governments are not judged by little gestures—by a little concession or minor amendment here, a further detail there—they are judged by the changes that they make to overall flows of income and by their operation of the social security and taxation systems. That is the measure by which Governments stand or fall.

In successive Budgets during the past decade, the Government have, according to independent estimates, engineered a rise in the incomes of the richest one tenth of the population of about £6 billion. According to a parliamentary answer that I received a week ago, the Government have also poured £3·75 million into a public subsidy during the past five years for private pensions for the well-off.

On the other side of the balance sheet, according to the Government's own figures, during the past decade, pensioners have had £22 billion taken from them as a result of the break of the earnings link. That puts Conservative Members' comments into perspective. The Government's minuscule improvements are no doubt welcome, but they are insignificant when compared with the financial effect on pensioners of their other measures.

The £22 billion would be enough to give every pensioner a Christmas bonus this year of more than £2,000.

Sir Robert McCrindle (Brentwood and Ongar): I invite the House to reflect on what happened when there was last a Labour Government. The hon. Gentleman said that he regrets the Government's severing the link between pensions and earnings and linking pensions to prices instead. Is it not the case that, when Labour was in power between 1974 and 1979, it gave an undertaking similar to that which the hon. Gentleman is now offering but, because of the state of the economy, on only three out of a possible five occasions was it possible to honour it?

Mr. Meacher: The hon. Gentleman is not right. The relevant consideration is what happened to pensions in overall terms. As I said, pensioners were 20 per cent. better off after five years of Labour government, but they are zilch better off after 12 years of Tory government. If the hon. Member for Brentwood and Ongar (Sir R. McCrindle) is satisfied with that, I hope that he will give that message to the electorate.

Mr. David Shaw (Dover) *rose*——

Mr. Meacher: No, I must move on.

Mr. Newton *rose*——

Mr. Meacher: The right hon. Gentleman has already spoken, but I will give way to him.

Mr. Newton: The hon. Gentleman cannot be allowed to get away with the line of argument that he has used in the last few minutes. What matters to pensioners ultimately is the totality of the effect on them of Government policies. The combination of the pension uprating and the inflationary, taxation, and slow-growth policies pursued by Labour meant that the standard of living of pensioners rose by only 3 per cent. under a Labour Government, whereas average net incomes have risen by 31 per cent. under our Government.

Mr. Meacher: Those figures have been used repeatedly, but they are fundamentally flawed in at least two respects. The growth in shareholding dividends that they incorporate—which can be considerable at a time of rapid growth—have been averaged out over all pensioners. That is absurd. There are some rich pensioners, and they have it all—but the majority of pensioners are poor, and some are very poor. What matters to the poorest of them all is what the Government have done in respect of the state retirement pension, or the additional pension through SERPS. Under the present Government, there has been no increase at all for the poorest 2 million pensioners. They are the people who really matter, because they do not enjoy the advantage of private pensions or of shareholdings. They are the responsibility of the Government and of our generation, yet they have enjoyed no real increase under the Conservatives. They enjoyed a 20 per cent. increase under the last Labour Government.

Families have had £750 million pounds taken away from them as a result of the four-year freeze on child benefit. As a result of all the changes to national insurance benefits since 1979, claimants have had an additional £1 billion taken away from them by successive cuts in benefits. That was revealed in a written answer given on 6 February in reply to an excellent question asked by my hon. Friend the Member for Leeds, West (Mr. Battle).

Vast changes in income flows are continuing, and are growing year by year. The Government have already timetabled huge additional cuts for the future—most

notably the abolition of the additional pension for invalidity benefit, from which, in time, the Government will save no less than £1 billion per year, according to their own estimates. Staggering as it may seem, the Exchequer will gain more from cuts in benefit from the poorest one third of the nation than from the proceeds of all the Government's privatisations. That is not producing a classless society, but engineering the sharpest class division since the Edwardian era.

This year, there has been a new phenomenon—one that has not occurred even during 11 years of Thatcherism. I refer to the creation of a new army of debtors, dependent on the ultimate safety net of income support, yet forced by punitive Government measures to subsist, in large numbers, below the poverty line. According to the Government's own estimates, nearly 750,000 people on income support will be subject this year to deductions because of the poll tax.

The most recent Government figures that I have seen show that a further 430,000 people on income support have been forced to make social fund repayments averaging £5·25 a week. According to a number of parliamentary answers that I have received over the past two months, a further 250,000 families are repaying electricity and gas arrears averaging about £9 a week, 80,000 are paying back rent arrears, and 45,000 are repaying water charges. In all, more than 1·5 million people—one in seven of all those on income support—are now being forced below the poverty line by compulsory benefit deductions.

Even earlier Tory Governments, in their most repressive phases, never did that. I wonder how many of the Government's grinning supporters realise what it really means. Indeed, I wonder whether a single hon. Gentleman opposite can tell me how much income support is received today by either a single or a married adult. I shall gladly give way to any Conservative Member, or indeed Minister, who can tell me.

Miss Emma Nicholson (Torridge and Devon, West): Does the hon. Gentleman want a gender-free House of Commons?

Mr. Meacher: I certainly do. If my terminology fails to adhere to that excellent principle, I apologise.

I was, however, making a much more important point. I think that it speaks volumes that more than 1·5 million people are in such a position. It is interesting that not one Conservative Member can tell me the current level of income support for a single or a married adult, although a Conservative Government are forcing 1·5 million people to live below the poverty line. Government policy has condemned those people to live on less—sometimes substantially less—than £36·70 a week in the case of single adults over 25, and £57·60 a week in the case of married couples over 18, yet not one Conservative Member can give me the figures.

Mr. Newton: Once again, the hon. Gentleman is using figures in what can only be described as a misleading way. Those figures take no account of the fact that either all or part of their mortgage interest—all of it, if they have been receiving benefit for any length of time—is being paid for those self-same people, amounting in some cases to substantial sums. If they are tenants, they will receive either a rent allowance or a 100 per cent. rent rebate, as long as they are also receiving income support. No one else uses the income figures in such a misleading way. Income support levels must be seen in the context of the meeting of housing costs—in full, in many cases.

Mr. Meacher: Actually, they should be seen in the context of people being able to survive to pay all the costs of normal daily living. Housing is certainly one of those costs, but there are plenty of others, including food, clothing, transport and everything else that people require to look after themselves. I see that the Secretary of State at least has the grace to be embarrassed by what I have said: the figures are indeed deeply embarrassing. They suggest that 1·5 million people are receiving substantially less than income support. I have said before, and make no apology for doing so again, that one Tory Member—Matthew Parris, who is no longer in the House—who was young and fit tried to live on income support for a week, but was unable to do so even for that long. These people are being forced to live on it for months and years.

Mr. Frank Field: I congratulate my hon. Friend on bringing the Secretary of State back to the Dispatch Box. Has he noticed that the right hon. Gentleman has changed his stance in less than five minutes? When he was talking about low income statistics, the right hon. Gentleman said that it was important not to use figures that took account of housing costs; he has now told us that it is important to think of income support as the amount remaining after housing costs have been met.

Mr. Newton *rose*——

Mr. Meacher: The right hon. Gentleman has already made his speech. I realise, however, that he should probably be given an opportunity to reply to that point—although it was extraordinarily effective and relevant.

Mr. Newton: It strikes me as the complete opposite of the real position. I complained before that the hon. Member for Oldham, West (Mr. Meacher) was concentrating on the figures after housing costs; I am now making exactly the same point—that he is concentrating on the benefit rates after housing costs, regardless of those costs.

Mr. Meacher: The central point, from which the right hon. Gentleman cannot escape, is that, for the first time since Beveridge or perhaps a little earlier—I do not go back to the 1930s—people are being forced to live significantly, and sometimes substantially, below the Government's safety-net level. It is almost impossible to live satisfactorily and healthily on income support for a long time, but to force people to live below it is unbelievably punitive.

Mr. Peter Bottomley: Will the hon. Gentleman give way?

Mr. Meacher: I will not give way again, especially in view of what the hon. Gentleman said to me earlier.

Only the present Government have punished people for being poor. This new army of 1·5 million people is at the bottom of the heap—along with the homeless and those who sleep rough, whose numbers are unprecedented. The cuts in living standards go far wider. In a parliamentary answer that I received about a week ago, the Government admitted that single pensioners are now £12·80 a week worse off, and £20·50 a week worse off than they would have been if they had not broken Labour's earnings link.

[Mr. Meacher]

The Secretary of State, of course, says that the Government have kept up with prices, and that pensioners are no worse off in real terms. Even that proves untrue when we consider, as we must, pensioners' increased outgoings, notably the poll tax. This year, the average poll tax is likely to rise by about £1·15 a week. Following the implementation of the orders, pensioners will have less disposable income in real terms this year than last. The same will apply to many of the 2 million people who are unemployed—whose numbers may rise to 3 million within a year—and to hundreds of thousands of low-income families who are now £1·30 a week worse off for the first child and £2·30 a week worse off for the subsequent children as a result of the four-year child benefit freeze.

Moreover—the Secretary of State touched on this—the latest evidence shows that thousands of elderly people, and people in residential and nursing homes, will be in even worse straits next year than this year. The most recent independent survey shows that the income support shortfall will rise this year—even after the increases proposed in the uprating orders—to some £25 a week in residential homes and some £52 a week in nursing homes. Evictions of elderly people and closures of homes can therefore be expected to increase. Even more ominous, the survey found that half of all registered homes now refuse to take elderly people who are receiving benefit and cannot afford to top it up from a private source at a rate of up to £52·60 a week. Those people will not receive the care that they need.

Mr. Robert G. Hughes (Harrow, West): Disgraceful.

Mr. Meacher: It is disgraceful. For the first time, I agree entirely with the hon. Gentleman.

Mr. Hughes *rose*——

Mr. Meacher: I have abundant evidence to support my comments.

Another group—applicants to the social fund—is, in increasing numbers being faced with a blank order to go without. Last year, three quarters of such people were refused help. One quarter were refused help because their local Department of Social Security office did not have enough cash left. According to the recent devastating National Audit Office report published a fortnight ago, refusal rates are up to 73 per cent. for loans, up to 79 per cent. for grants and up to 51 per cent. for crisis loans.

The Secretary of State said that the social fund allows assistance to be targeted on those most in need. That is Toryspeak for rationing. It is also a lie. Those most in need —those without any money—are the people most likely to be refused help on the ground that they cannot repay the loan. That must surely be the ultimate hypocrisy.

The social fund is an ugly throwback to the Poor Law. It is a state-funded charity under which officers ration patently insufficient money among desperate claimants who have no right to an independent appeal against refusal. I can tell the Secretary of State and the Prime Minister that there will not be a classless society, let alone any decency or civilised values of care and compassion, until the social fund and its authors are swept away.

Our social security system is a negation of all that it should be. It does not provide social security; it provides a growing level of insecurity for millions of our people. Much of it is not administratively efficient, but wasteful. The National Audit Office report found that one third of the social fund's budget is spent on administration. The huge savings made by the computerisation programme are not being used to harmonise or improve the quality of the service. They have already been forfeited to the Treasury in staff cuts.

The priorities of current policy do not reflect need, they reflect dogma. This year, £1 billion is being spent on tax reliefs for personal pensions while the neediest are turned away from the social fund in their thousands. The poorest pensioners and low-income families with children are being made even worse off this year and specific benefits continue to be cut—notably statutory sick pay, the motion about which we will certainly vote against tonight. Britain now has the lowest pensions in Europe in cash terms and as a proportion of average income. The same applies to many other benefits.

After 12 years of Tory rule, poverty is again high on the political agenda as it shames the conscience of the nation. If the Government will not act to restore justice and decency in public life for all our citizens, the Labour party soon will after the general election.

5.15 pm

Miss Emma Nicholson (Torridge and Devon, West): I will be brief, as my colleagues want to challenge the picture of deprivation painted so poignantly during the past 45 minutes by the hon. Member for Oldham, West (Mr. Meacher).

The hon. Member painted a poignant picture of an army of millions of paupers in the United Kingdom, with thousands of people who are beggared by an uncaring Conservative Government. The hon. Gentleman should come to my constituency and witness the outstanding, first-class social services provision provided by a superb committee from county hall, and by first-class social workers.

We have superb social workers in north Devon who care for the poorer elements in our society, of which there are many, because people regard the area as a Mecca. They come to live in Devon, but do not want to work. Instead, they try to live off the taxpayers in Devon.

If the hon. Member for Oldham, West visits my constituency, he will see that the way in which society comports itself, even when it is in difficulty in relation to income, is different from the picture that he painted.

Mr. David Nicholson (Taunton): Will my hon. Friend give way?

Miss Emma Nicholson: I will give way to someone who is not a cousin, but who perhaps should be.

Mr. David Nicholson: Did my hon. Friend note that the amazing tirade from the hon. Member for Oldham, West (Mr. Meacher) was witnessed by a massive audience of only three Labour Back Benchers?

Miss Emma Nicholson: That always seems to happen when Opposition Members believe that they can rant and rave to maximum effect. However, they only do that to empty Opposition Benches. That always happens on Supply days. It is extraordinary that so few Opposition Members turn up.

I wonder whether the hon. Member for Oldham, West realises how much the age profile in this country and in

other western nations is changing. We have a rising age profile. We are all getting older and living longer because of the health and welfare services run by this Government. We are also working longer, because there is not such a strict ceiling on working. We are living to a healthier old age, but we are having fewer children.

I am not making a political point; I am trying to introduce realism into this debate, following the speech of the hon. Member for Oldham, West. As a result of the rising age profile, the growing band of old people must be supported by an ever-shrinking group of younger earning people. We should look most keenly at those people in terms of income. I have a large number of pensioners in my constituency, and there is a rising age profile in Devon. In fact, in that respect, we are in advance of the rest of the country. However, as we grow older, we will all need to be supported by younger people who are earning, and that proportion of people is smaller than it has ever been.

We should not think that pensioners today have paid for the totality of the health and welfare provision that they are receiving after retirement. They made the modest contributions that the state sought from them at the time. However, pensioners are now dipping into state benefits in a very big way, because so much more is available in terms of social benefits, and particularly in terms of health care, and the younger people are paying for that.

Mr. David Shaw: In the picture that my hon. Friend paints, does she agree that, with the expanding number of pensioners and a smaller group of young people supporting them, we would expect, with limited resources, to find falling living standards for pensioners? However, under this Government, the reverse is the case. More pensioners than ever before own consumer goods such as televisions, telephones and cookers. Under this Government, the total income of pensioners has increased to record levels.

Miss Nicholson: I agree. I have a note which tells me that, on average, between 1979 and 1987, pensioners' net incomes in total grew by 32 per cent. above inflation, which is more than five times faster than they grew under Labour, when there were fewer pensioners.

It is important to strike a fair balance in society between pressure on younger earners and the proper welfare and health benefits that we offer the older recipients of those younger people's earnings. It is important to recognise that and not continually to ask unrealistically for full benefits across the spectrum of pensioners.

More and more of us have second pensions. As my right hon. Friend the Secretary of State rightly says, more and more people have a much wealthier life style than the word "pensioner" implies. According to the hon. Gentleman, when we think of pensioners, we might think of someone who is acutely poor. Yes, there are people who are pensioners and who are in poverty, and we must consider them even more rigorously than we have managed so far.

Most pensioners are far better off than pensioners have ever been. They should be well off, and they should be able to have holidays in Florida, colour televisions, two cars, and a longer, healthier and wealthier life. Let us not run away with the idea, however, that that is every pensioner in the United Kingdom—it most certainly is not. My right hon. Friend has struck a fair balance, which is difficult to find, between pressure on younger earners and benefits for older pensioners.

The hon. Gentleman remarked that the Government are not judged by little concessions. I agree—but nor were the previous Labour Government. However, my colleagues and I judge the current Labour Opposition by the proposed concessions that they disdainfully offer to the most needy group in our society, which must be those who are disabled, either mentally or physically. I am appalled that disabled people do not feature at all in Labour's priority social security pledges. They are just not there. They are an invisible element of society.

Two weeks ago, the right hon. and learned Member for Monklands, East (Mr. Smith), the Opposition spokesman on such matters, said that all promises to disabled people were contingent upon the capabilities of the economy. If disabled people are contingent upon the capabilities of the economy, and if the Labour party is in charge of the economy, there will be nothing for them.

Mr. Flynn: Having studied the regulations with some care, I know that the only way in which they are related to the disabled concerns the changes in the statutory sick pay legislation. The result will be that it is much more difficult for disabled people to get jobs.

Miss Nicholson: I refer to the excellent changes that my right hon. Friend the Secretary of State has offered for disabled people. I am delighted that my right hon. Friend the Minister for Social Security and Disabled People is on the Front Bench. Far from being uncaring and insensitive, my right hon. Friend treats the disabled on an equal basis, without the patronage that we frequently see in the Opposition.

I am delighted to note the increase in mobility allowance, for example. That is no minor concession. The Government have increased the mobility allowance in real terms by 550 per cent. since 1978-79. The number of recipients has increased six times—it is well over 0·5 million and it is approaching 0·75 million. Also, £4 million of new money has been allocated to include the deaf-blind, and double amputees will be included from April 1991, with a new grant of £1 million to Motability to convert cars.

Those are not concessions; they are ways of providing independence of thought, mobility, and accessibility to the disabled. That is what counts. They are a huge group of people. By any account, they are people in need. They genuinely cannot help themselves. They are very unlike the family in my constituency of whom I was reminded when we heard from Opposition Members about all the beggars in the United Kingdom. Indeed, three generations of one family—the grandfather and grandmother, father and mother, and now the children—are now living off the state. Not once has any member of that entire family done a job. They are beggars par excellence. Would hon. Members give more to such a family?

It is acutely important that we give independence of thought, life and ability to work to the disabled. I am therefore very excited that we have now given far more money to help people to go to work if they are disabled. That is an important point, because the number of disabled people is rising. The Government instituted the first study of how many disabled people there are in the United Kingdom and of what their disabilities are. Also, there is a consultation paper, and we on the Select Committee on Employment did a special study and recently published our findings. The Government have

[Miss Nicholson]

proved their credentials time and time again to that most needy group in society. It is enormously important for employment and employment prospects for the disabled that matters such as the mobility allowance are taken into account and uprated as they have been.

I strenuously welcomed the establishment of the independent living fund. I am delighted that its funding for 1991-92 has almost doubled compared with that of the current financial year. The fund has the flexibility which is the hallmark of the Government's treatment not only of the disabled but of those on lower incomes. Provision can be tailored finely to meet individual needs. Treatment is sensitive, and people are interviewed in their own homes.

We now see the real divide between the Government and the Opposition. The blanket coverage that the Opposition desire and constantly demand for everyone in the United Kingdom whom they define in a patriarchal manner as in need is 1 million light years away from the truly thoughtful, sensitive, intelligent and accurate pinpointing of need by the Conservative Government. I believe that I have made my case in talking about what the Government have done for the disabled in this uprating, and I support my right hon. Friend the Secretary of State.

5.26 pm

Mr. Frank Field (Birkenhead): Unlike the hon. Member for Torridge and Devon, West (Miss Nicholson), I shall speak briefly, because, if the House will forgive me, I have a meeting at 5.30 pm. Also, unlike the hon. Lady, I have two points to make, and they are about the orders. Before the hon. Lady makes too much of the independent living fund, I bring her bad news. I share her views about the fund, but it is the Government's intention to chop the scheme when community care is introduced. If she wants to conduct a little campaign, many Opposition Members would join her.

First, I refer to fees for residential care. Over the past 10 years we have witnessed a massive change from hospital care for our very elderly citizens to care in private residential nursing homes. That would not have mattered if the costs were not borne by some families. Many of my constituents not only fought through two world wars but, unlike the beggar family whom the hon. Lady frequently mentioned, worked every year that they could work, paid their contributions and expected that, at the end of their working lives, they would be looked after—if need be, in hospital.

Now, in all our constituencies, some homes refuse access to constituents on benefits. The Minister for Social Security and Disabled People may have seen the citizens advice bureau report which shows that, in some areas, no homes are taking constituents who are on income support. We have changed from a situation in which our older citizens could have expected care in hospital—I am not saying that that was a desirable aim, but there were no bills—to one in which people should be cared for in residential homes, and we are now finding that an increasing number are refused entry because they cannot pay.

Also, an increasing group of constituents—pensioners—are being asked to pay a contribution to their parents' fees in nursing homes or residential homes. As the Minister knows, some of his hon. Friends can give him examples of contributions of about £25 per week being made to meet their parents' fees from the children's pensions. We shall shortly reach the stage where some of our constituents will face eviction. I know that the Government hope that, before that stage is reached, they will have managed to hand over that entire responsibility to the local authorities—although some of us may use the word "dumped". However, it is not a good enough policy for the Government to hope that time will be on their side and that that responsibility will not be theirs, but one for the local authorities to accept.

I hope that, with the help of the careful information that he will have been given by his hon. Friends on the Treasury Bench, the Minister will to some extent share with the House his thoughts on this matter. We may be faced with evictions, and we should debate this issue now, rather than wait until it is raised in an emergency debate once evictions occur.

I am grateful for the increases that the orders make. They are necessary and go some of the way, although not the whole way, that we have been seeking.

In the single minute left to me, I shall concentrate on the second issue that I wish to raise, child benefit. As my hon. Friend the Member for Oldham, West (Mr. Meacher) said, we now have a new regime. The upratings relate to the old regime. I do not want in any way to detract from the credit that must go to the Government team for getting through this botched measure, because, although it is indeed botched, that is not its importance. What is important is that, when getting the increase through, the old regime was nailed to a commitment to continue child benefit. All hon. Members are grateful to the Treasury Bench for achieving that.

However, there are now some difficulties with the child benefit scheme, about which I asked a serious question, but did not receive a serious answer. Both the Tory party and the Government are debating the future shape of the scheme. It is right that there should be such a debate in those two organisations, but it should be more open. Between 7 million and 8 million mothers draw child benefit every week. I do not think that the Government should conduct a review about the future shape of the child benefit scheme, guaranteeing that child benefit should remain, but wanting to debate the way in which the money is spent, in private, without including mothers or some of their representatives who are among my hon. Friends——

Mr. Peter Bottomley: And among my hon. Friends.

Mr. Field: Yes, and among Conservative Members.

In his reply, perhaps the Minister could give us some idea about the way in which the Government see the future shape of the child benefit scheme. We do not want the old patter, which states that it will be there for ever. We are grateful for that, and we know that we are in a new situation. We want to take the debate further. As a result of the Minister being open and honest with us, we might have a really good debate in the country as a whole about what mothers would like the future shape of child benefit to be, instead of about what a few Ministers or Members of Parliament would like.

I said that I would be brief, and I have already taken two minutes longer than I set myself, but I wanted to raise not only the issue of the future shape of child benefit but also, despite the Government's brave talk about how much more money is being allocated to cover the costs of

residential care, the real problems of residential care provision, to which we shall have to face up before frail and elderly people are evicted on to the streets.

5.33 pm

Sir Anthony Durant (Reading, West): My hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) said that the Opposition's proposals do not mention disability. I must correct my hon. Friend and advise her that the Opposition document refers to a scheme for a new disability benefit. However, what the Opposition have not told anybody is how much it would cost or how it would be introduced. We do not know how the Opposition's proposals will work and we have not been given any costings. Nevertheless, as disability benefit is mentioned in one of the Labour party's documents, I must correct my hon. Friend.

The Government's record on pensions is not bad at all. Pensioners' total incomes are up by 32 per cent., on average—and it is total income that matters to pensioners, not the amount of state pension, which is a different issue altogether.

There are three types of pensioner and the differences between them are growing daily. The first group comprises the 50 per cent. of all pensioners who now have a second pension. Indeed, more than 70 per cent. of people currently retiring now have second pensions, many of which are substantial. Those people have quite a good life. On top of that, the Government have legislated to ensure that private pensions should be automatically increased by 3 per cent. per year to take account of the inflationary spiral. That, too, will help pensioners tremendously. Hon. Members of all parties have wished to ensure that people of pensionable age are well provided for.

The second group of pensioners comprises those who have low incomes and few resources but who live in a property that they own. Very often, those pensioners do not know how to get out of that property or what to do about it as it becomes run down. The Government should have taken more seriously what my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) proposed to try to enable those pensioners to use some of the money tied up in their houses to do up the property and obtain some tax relief while so doing. They may wish to sell the property, or they may wish to continue living there, but in better conditions. That group of pensioners certainly exists in my constituency.

The third group of pensioners comprises the small and declining group who do not have a second pension and who depend solely on the state pension and other state benefits. They are the poor group in our society, and I accept that they exist. Although they are a diminishing number, they are getting more resentful. Many of them live in old people's homes, where people with second pensions may also be living, but rather more comfortably. As the state-dependent group does not have the same amount of money, pensioners in that group feel more aggrieved.

That is why I strongly support the Government's move to put money in that direction. The Government have started to do that, and the uprating proposes a further £78 million to increase the benefits for those on the lowest incomes. The right way to tackle pensions is to acknowledge that it is the total income which matters, not the basic pension.

The Labour party has promised an extra £5 per week for single pensioners, but it has not mentioned uprating the whole thing to put back the money that Opposition Members keep saying that pensioners have lost. They are careful not to promise that, because it would result in enormous bills, which they do not want. The Labour party has said that it will link the basic state pension to prices and incomes, as used to happen, but I wonder whether it will actually do that if it ever comes into office. Its promises on pensions do not always live up to expectations.

As I have said, we have three groups of pensioners. There are those now benefiting from a second pension, who are doing extremely well and are very comfortable. There are those who have problems with their houses, many of whom have low incomes and only a small amount of capital. Then there is the smaller group, which is declining all the time, which comprises those who are dependent on the basic state pension and other benefits. That is the group that we must assist and on which we must concentrate. The Government have started to do that, by providing a further £78 million today.

The Labour party always talks about looking after the poor and those on low incomes, but what really matters to pensioners is inflation and what always happens with a Labour Government—it will happen again if the Labour party takes office—is that inflation takes off. Inflation averaged 16 per cent. when Labour was last in office, which meant that pensions diminished in value. Pensioners would be unwise to think that they would get a better long-term deal from the Labour party. What it says sounds attractive and very nice, but the reality of the Labour party's last period in office was that inflation increased and pensions decreased. The present Government have a good record. I support what they are doing on pensions, and I am proud to sit on this side of the House and to be a member of the Conservative party.

5.39 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I listened with interest to the hon. Member for Reading, West (Sir A. Durant). I understand and sympathise with the point that he made when he identified a group of poorest pensioners, which he described as small and diminishing. Although it may be a diminishing group, it is certainly not small. We should not make light—I appreciate that he did not seek to do so—of the problems that they face. What worries me more than anything else in the Government's policy is that they are not taking any steps to address the diminishing value of the state pension in relation to the income available to the rest of the earning community. I accept that it is a difficult matter which could involve large sums of money.

Irrespective of whether one believes that universal increases in benefits should be available to all, between now and the beginning of the next century the Government—whatever their colour—will have to address the fact that, year in and year out, the group of pensioners to whom the hon. Member for Reading, West referred is losing out in relation to the community fortunate enough to be in work. The hon. Gentleman said that the £78 million was welcome, and indeed it is, so far as it goes, but it does not begin to deal with the problem. This is not just a problem for the coming year, to which the orders relate, but one that pensioners have experienced for the past five years, and it will continue for the next 15, 20 or

[Mr. Archy Kirkwood]

25 years until all pensioners have second pensions. Everyone recognises that, when my generation comes to retire, people will have occupational pensions and second pensions, will own their own homes, and so on. There is indeed an urgent problem, but the hon. Gentleman is not right to say that the Government are addressing it adequately.

I wish to ask a few questions in the context of the background against which the orders are being introduced. I am worried by some of the admittedly anecdotal evidence from my casework and other sources that the problem of indebtedness is getting out of hand. The hon. Member for Oldham, West (Mr. Meacher) rightly mentioned debt, and the consequences of financial deregulation have had far-reaching effects throughout the economy in terms of monetary policy, banking and so on. One of the implications which is only now coming home to me fully is that people in dire financial circumstances can get hold of enormous amounts of credit without any security. Week in and week out, I see more and more evidence that that is exactly what is happening.

Even in my constituency, rent arrears are reaching worrying proportions. Poll tax arrears are also becoming extremely worrying. The House should remember that Scotland is a year ahead of the rest of the country. Mortgage repossessions throughout the country are further evidence of the debt problem. Fuel costs and water charges are exacerbating the debt problem. Welcome though the increases in the orders may be so far as they go, evidence is coming through that there is a real problem out there for a large section of the community and it has not been addressed by the Government.

I have dealt substantially with the points about pensioners made by the hon. Member for Reading, West. I trust that the Government will not take the problems of pensioners lightly. The Government gave pensioners the Lawson bonus 18 months or two years ago. A one-off payment of £2·50 was made to certain elderly pensioners. I am not necessarily in favour of such piecemeal payments because the problems are more urgent and need a more strategic long-term approach and to be dealt with adequately. However, I hope that one-off payments are not off the agenda as an immediate way to bring some urgent relief to a section of our retired population.

As the hon. Member for Birkenhead (Mr. Field) said, there is a debate in the Conservative party and in the Government about child benefit. That is of fundamental importance. It is happening in my party, too. In the approach to a general election, parties reconsider their policies. I detect from the tone of the debate today that the general election is not far away because of the manner in which manifestos and statistics were traded across the Floor of the House. Luckily, most of the political ammunition goes above my head, so I propose to keep my head down for as long as I can. The debate on the future of child benefit is crucial. Some 7 million mothers receive it and £250 million is paid out. It is a major plank in any Government's policy.

If any fundamental changes are to be made, they should be debated in the open, as the hon. Member for Birkenhead said. Also, any changes that are to be made must be expressly included in party manifestos. In the recent past it has worried me that some of the social security changes that we have witnessed were virtually not discussed during the general election campaign. That happened during the time of the present Administration, so my objection is targeted exclusively at the Conservative Government. My plea is that if there are to be changes in child benefit, they should be discussed openly beforehand and included explicitly in the election manifestos of all major political parties.

I have a series of short questions about the detail of some of the orders. I may have missed them, but I have not seen any published figures for the level of the social fund budget for the next financial year. I do not know when that will appear in the annual cycle of uprating statements, public expenditure announcements, White Papers, and so on. If the figure has not yet been published, I hope that the Government will do so shortly. Certainly, the grants and loans budget, even if it is only uprated in line with inflation, should be in the region of £230 million. My experience—I am sure that it is not unique—is that even that will not be enough to meet the demand. Certainly it is not enough to meet demand for community care grants and to move towards implementing the community care system of finance. The amounts paid in grants must be watched carefully during the period of these orders. I hope that consideration is being given to increasing significantly the community care grants within the social fund.

I cannot possibly make a speech on the uprating orders in relation to the social fund without saying a word about severe weather payments. We have been up hill and down dale since the beginning of the year on this. I understand perfectly that it is not an easy matter to deal with, and the Minister of State is on record as saying that a review is to be undertaken. I hope that the review will be undertaken quickly, because the experience during the recent unusually cold snap was not happy. Statistical evidence is beginning to filter through from reports that large numbers of people in Britain have suffered as a result of the cold weather this year and that that was not an accident. That needs to be addressed as a matter of urgency.

We may see substantial, indeed swingeing, increases in the level of the poll tax in the near future. I do not want to get into a battle about who is responsible——

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): Before the hon. Gentleman goes on to his next point, I remind him that I am committed to reviewing the cold weather payments. He said that many people had suffered. We deemed the whole country as qualifying to trigger the cold weather payment during the period of the most excessive cold, and we made the necessary payments. I should be grateful if the hon. Gentleman would give me as much evidence as he has to assist my review. I want to listen to the constituency experiences of all hon. Members. If the hon. Gentleman will let me have any evidence that he has, I will take it into account.

Mr. Kirkwood: I take the spirit of that intervention as helpful. I was referring to the statistical evidence that our mortality rates during the winter months are worse than in other countries. I accept that the whole country was entitled to cold weather payment. That was welcome, but there was some confusion about the way in which the payment was introduced.

With regard to increases in the community charge, the House will know that in 1988-89 the Government compensated people on benefit for having to pay 20 per cent. of their community charge or poll tax. Substantial increases in poll tax are in the pipeline in Scotland—I do not know about other parts of the country—far in excess of any compensation that the Government ever envisaged. The Government decided to increase benefits by about £1·30 per week to compensate for the 20 per cent. payment. That will have to be reassessed in view of the current level of increases in community charge that people face, especially as water charges are not rebateable at all.

In Scotland, water rate charges have certainly been spiralling. Even with the recent relief scheme for the community charge, benefit increases do not compensate for the basic increases that have to be paid. If the Government could identify the level of compensation within income support that is earmarked to address the extra amounts that poll tax payers and water charge payers have to meet, that would help. The Government may not have realised that poll tax and water charges would spiral.

The Audit Commission report said that one of the most cost-effective things that the Government could do would be to sweep away the 80 per cent. enforced ceiling on rebates, because the net benefit annually to the average person paying a 20 per cent. poll tax contribution is £6, while the net collection cost is £15. It would save money if the Government did away with the 20 per cent. enforced contribution.

I support everything that the hon. Member for Birkenhead (Mr. Field) said about residential charges. The Price Waterhouse report suggested that Scotland was the second most expensive area outside London for ordinary residential charges; I am not talking about charges in nursing homes or specialist homes. The increase of £5 in residential home fees is not enough. I have evidence of friends, neighbours and family having to contribute in order to meet residential home charges.

I hope that the Government will do something about national insurance benefits for fishermen. I was given the opportunity to raise the issue by the Secretary of State's announcement about a change in class 2 payments. I welcome that, because it has been a bone of contention in the recent past for fishermen. The change in the weekly earnings rule, coupled with the new lower earnings limit, puts fishermen at a disadvantage in terms of unemployment benefit, particularly if half the eight day tie-up is in one week and the other half in the second week. Fishermen can earn enough in the working days of both weeks to take them out of benefit. That is an unfair consequence of the recent benefit changes, and I hope that the Government will review it.

In relation to non-dependant deductions on applicable amounts for housing benefit, can someone tell me why there have never been stiff increases? According to my arithmetic, the increase is 25 per cent. The sums were done by me, so they may be suspect. So far as I can see, however, the non-dependant deductions at the higher level have gone up from £10·85 to £13·50—a 25 per cent. increase. Even at the lower level there is a 25 per cent. increase—from £4·55 to £5·70. I do not understand that, and I would welcome clarification.

I have come across the case of two 19-year-old non-dependants with someone who was claiming housing benefit. I do not know what average local authority rents are in other parts of the country, but £27 per week is the about average in my area. If two non-dependant 19-year-olds both get assessed at £13·50, it means that the householder will be deprived of all housing benefit and will have to meet the full rent. If the non-dependants happen to be unemployed, that produces further financial and domestic problems. I do not understand why there should be a 25 per cent. hike when there are much lower increases in other areas. Is there a different way of calculating the non-dependant deductions? If so, I am unaware of it. I should like clarification.

I do not think that the Government's announcement and these upratings do anything other than the Government are statutorily obliged to do. There may have been small increases and insofar as there have been increases, I welcome them, but we need something more if the Government are to show that they recognise the stark financial reality faced by many poor pensioners and families.

5.53 pm

Mr. John Bowis (Battersea): I am pleased to support my right hon. Friend's proposals in the package of upratings of benefits. It is yet another step forward by the Government in looking after people who need our support. I had hoped that the debate would have been a serious discussion, with observations from both sides of the House on how to improve benefits still further, bring in new schemes, enhance existing ones and so on. Although I exempt the hon. Members for Roxborough and Berwickshire (Mr. Kirkwood) and Birkenhead (Mr. Field), who spoke briefly, I cannot exempt the hon. Member for Oldham, West (Mr. Meacher) from the charge of not really being interested in the welfare of the people we are seeking to help. He was much more interested in trying to make party political points in what he presumably sees as the run-up to a general election in the not too distant future.

The hon. Gentleman's speech was amazingly disappointing. I can only imagine that he looked at the proposals before him, realised that his party when in power had not produced such ideas, and tried to camouflage the fact that it had come up with nothing in the past and had no credible policies for the future. When one meets people who are in need or those who look after them, one hears of great respect for my right hon. Friends the Secretary of State and the Minister of State who is responsible for people with disability. One does not hear much about the hon. Member for Oldham, West; having heard him today, we understand why.

The Government cannot solve overnight the problems of all the people in need. They have never claimed to do so, but when they perceive a problem and understand it, they bring forward solutions. Under the Conservative Government, we have had a remarkable and sustained improvement in the living standards of people in the groups about which we have been talking.

One has only to consider the overall position of pensioners. Of course one can find individual pensioners who have not done as well as others, but the broad band of pensioners have been much better off under the Government, partly because of the improvement in the economy, partly because of the Government's ability to

[Mr. John Bowis]

get inflation under control and partly because of the benefits in cash and in kind that older people have received from the Government.

Pensioners are better off to the tune of over 30 per cent. in real terms since the Government came into power. That is the result of a combination of factors. Pensioners' income from savings has gone up phenomenally because of high interest rates. Occasionally, pensioners slightly regret a tumble in interest rates. Nevertheless, low inflation and sound investments mean that pensioners have done better from their savings. They have also done considerably better from occupational pensions.

Is it possible to tabulate comparisons with our friends and neighbours in the European Community? One often hears misleading statements about how we compare with other countries. In any given figures, the comparison is often of like with unlike. Perhaps the spouse is not covered by a non-contributory pension in the other country, whereas that spouse is covered here. Perhaps the comparison does not take account of benefits in kind from local or national Government. It would be helpful to have real comparisons instead of occasionally misleading statistical ones.

I am always ready to press my right hon. Friends to go further on that category of pensioner who is just above benefit level and tends to miss out. I do so for good reason, because I spoke about that in my maiden speech. Such pensioners do not get the basic benefit, and, on top of that, they miss out on consequential benefits. I am especially pleased that, this year, the Government have introduced an additional benefit for those pensioners on low income who receive enough from that income to be judged above the benefit level. I am sure that the extra £1 a week will help such pensioners, but I urge my right hon. Friends to go further.

It is good to note that the problems associated with child benefit are being solved. I refer to that tentatively as I remember the days when our late colleague, Sir Brandon Rhys Williams, tabled an amendment to Government policy to ensure that we did not forget the aims behind child benefit—to help children judged to be in need, especially those who may not be caught by other benefits. I supported the change advocated by Sir Brandon, and I am pleased to note that the Government have now found it possible to increase the benefit for the first child. I hope that they will continue to study how further improvements could be made—for example, benefits for children under five. Certainly there are merits in that.

I am conscious of the need to consider other ways in which to improve the income of families with children. The measures taken to encourage fathers who have deserted their families to make a contribution is welcome.

I am pleased to note the proposals on nursing and residential homes. The Price Waterhouse factor has, I am sure, led to the additional support for nursing homes in the uprating. The extra £45 per week, together with the London supplement, is welcome. I am also pleased to note the emphasis given to centres geared to people with alcohol and drug-related problems. I pressed for such improvements some months ago for the Davies centre, which is part of the Turning Point group. That centre helps people who have come out of detoxification units to go back into the community and without such support those people would find that difficult.

The Government should consider, however, voluntary hospices and the contributions that they invite, but do not demand, from their patients. Department of Social Security offices have disallowed those contributions to be taken as supplements to income support. I know the arguments about that, but that is a hard ruling, as it requires the voluntary hospice movement to make a charge when it has not done so previously. That ruling has affected people with a short lifespan. Many hospices are reluctant to make that charge, so they are losing out.

The House has a particular duty to look after people with disabilities. I welcome the various measures that have already been introduced, but it is important to continue to consider the various problems associated with living and coping with disability, mobility and the ability to work. I pay tribute to my right hon. Friend the Minister of State for creating the independent living fund and I hope that, whatever the future may bring, that scheme, or something like it, will continue. I especially welcome the fact that that fund has been doubled this year. The improvements in invalidity care allowance, motability and mobility allowances are also welcome.

People with disabilities are always close to our hearts when we consider policy. We have reached the stage where we no longer lock away people with disabilities; rather, we encourage them and enable them to come into the community. Children with disabilities are no longer automatically sent to special schools or colleges—we have enabled them to join mainstream schools and colleges. People with disabilities now work in shops, offices, factories and even in this House. Those people no longer work in enclosed workshops in residential homes. We have enabled people to get to work under their own steam so that they do not have to wait to be wheeled out from their homes. We have enabled people to nurture hopes and ambitions to achieve things with their lives. The carers allowance also means that we look after those who look after people with disabilities.

If we accept that there is nothing that people with disabilities cannot achieve if the House, Government and nation so enable as a result of various measures, such as the allowances we are discussing today, we shall do right by them and by all the others for whom we have a duty of care.

6.5 pm

Mr. Paul Flynn (Newport-West): Sir Thomas Beecham used to refer to the encores that he gave at the end of his concerts as "musical lollipops". They were always pieces of music that were light and attractive, but there was no great substance to them. Since the new Prime Minister took over, we have seen the advent of political lollipops. At various Question Times, the Prime Minister—the Secretary of State for Social Security did the same today—has contrived to award such a lollipop to the waiting, admiring population. Those lollipops have a mammouth publicity value, but are protozoan in terms of the money they represent.

Today the Secretary of State announced an incease of £10,000, equivalent to a 50 per cent. increase, in the award to the parents of vaccine-damaged children. That money will go to about five families a year, so the amount

awarded is microscopic in terms of the available budget. Those families have suffered a particularly harrowing experience. Part of the grief felt by the parents for a dead child is guilt. That feeling is especially harrowing in the case of vaccine-damaged children, because the parents took a deliberate decision—with no blame to themselves—that resulted in that damage.

Everyone will welcome the award to those parents, but we are entitled to display some cynicism about it. The uprating of that award is below the level of earnings at which it should have been set—it is possibly above the level of inflation—and it is significant only because it applies to a small number of children. In other cases, tens of thousands, even millions, of children are involved, but there has been no such generosity or uprating.

One of the most important changes has been that to child benefit—rightly described as a "botch-up". I agree with my hon. Friend the Member for Birkenhead (Mr. Field) that it is good to see the log-jam broken, and that that benefit will no longer be allowed to wither on the vine. The £1 increase for the first child—it is not in the uprating order, but in separate regulations—is slightly more than the going rate of benefit. For the first child, that extra £1 is more than the 10·9 per cent. allowed for inflation for a one-child family, but the increase is less than that 10·9 per cent. for a two-child family—10·9 per cent. of £14·50 is £1·58. Those families are losing when one takes into account the inflation rate. The larger the family, the greater the shortfall. A four-child family would need £3·16 to compensate for inflation, but they shall receive only £1.

All lone parents not getting means-tested benefits will lose, including those with only one child. A one-parent family with one child now gets £7·25 plus £5·60 one-parent benefit, which is not being increased—a total of £12·85. The uprating on that amount would have been £1·40, and lone parents will only receive an extra £1. Therefore, a one-parent family with two children would need an extra £2·19 to compensate for inflation, but will receive just £1.

The reduction in the child dependency allowance increases by £1 per week per family to deprive them of the extra £1 benefit. There will not be four or five such payments a year, but 192,000. That is not included in the uprating order, but will be achieved subsequently by regulation. However, the order covers the partner's earning limits, above which the child dependency increases cease to be payable. They are to be increased in line with prices, when they should obviously be increased in line with earnings. They were introduced in 1984, when the limit was set at £80 for the first child, plus £10 for each subsequent child. Since then, average earnings have risen by 70 per cent., so the limit should now be £136, plus £17 for each additional child. Instead, the new limit will be £110, plus £14—a significant cut.

The £1,000 widow's payment remains the same, but there are not four or five widows in the country, but tens of thousands, possibly hundreds of thousands of widows who regularly claim benefit, which has been frozen for the third year running. It has been frozen for nearly six years since it was announced in June 1985—and it was not introduced until April 1988. It replaced the former widow's allowance, which used to be paid at a higher rate than other widows' benefits for the first six months of widowhood. If the widow's allowance had not been abolished, it would have increased over that period from £50·10 a week to £72·80—an increase of 45 per cent. On that basis, the £1,000 should now be £1,450—the Government have made enormous savings by cutting the amount given to widows.

In Committee, Social Security Ministers take an affable approach; we all find them persuasive and want to believe what we are told. But it is interesting to recall that, when the widow's allowance was replaced by a lump sum widow's payment in 1986, the present Secretary of State resisted an amendment providing for automatic annual increases and told the Standing Committee:

"When the final decisions on all rates of the new benefits under the Bill are taken in the autumn of 1987, we shall obviously consider whether it would be appropriate to change the level of widow's benefit stated in the Bill."—[*Official Report, Standing Committee B*, 17 April 1986; c. 1439.]

Will the Minister say why it has not been considered appropriate to change the important benefit given to widows? In 1986, the Committee might well have taken a different view of the proposal if the Minister had admitted that the £1,000 payment was to be frozen indefinitely.

Although most of the means-tested benefit rates are increasing in line with prices—excluding the housing benefits—the disregards are not. In particular, the £3,000 capital disregard has been frozen, not only since it was introduced in 1988, but since it was announced in 1985 in a Green Paper on the reform of social security. Merely to compensate for price increases since then, the benefit should be not £3,000, but £4,350.

All these increases are subtle and hidden, they are not obvious. They are not introduced with a blare of trumpets and trombones from the Dispatch Box, but they represent deep cuts. Similarly, since it was increased in November 1983 the £500 capital limit for social fund payments has been frozen for everyone except those aged 60 or over. It was then the capital limit for single payments under the supplementary benefit regulations. Since then, prices have risen by more than 50 per cent., so the limit should be more than £750 just to keep pace with inflation, let alone with earnings.

The child benefit regulations provide £1 extra for the single family. I remember in another Committee discussing a comment by Beveridge, when he talked about certain anomalies and said he hoped that they were buried for ever and would never again rise from their dishonoured grave, but for us, another little nasty has been resurrected by that extra £1. An important advantage of child benefit compared to the pre-1976 system of family allowance is that it is payable at the same rate for every child in the family. The family allowance excluded the first child, and complicated rules were needed to decide, if parents were separated—unhappily, an increasing occurrence—whether the two children were members of the same family or different families.

The extra £1 reintroduces those complications, since it is payable only to the first child. Hence the incomprehensible provisions of regulation 2(b), about which I have written to the Minister—I longingly await his reply. If my interpretation of the regulation is correct, it will, in some cases, disqualify both parents from receiving the extra £1, which is obviously nonsense and cannot be the intention.

Further anomalies arise from the statutory sick pay regulations, upon which we shall vote tonight, and I believe that they will be the subject of a speech by my hon. Friend the Member for Nottingham, North (Mr. Allen).

Tonight, Social Security Ministers are working their old magic like the old illusionists they are and providing, up

[Mr. Paul Flynn]

front, obvious little benefits—tiny lollipops; but under the welter of complex social security legislation, there are deep and serious cuts.

6.17 pm

Mr. Peter Bottomley (Eltham): It is a pleasure to follow the hon. Member for Newport, West (Mr. Flynn), who produced his statistics more briefly than the hon. Member for Oldham, West (Mr. Meacher), who kept us for 42 minutes and spent hardly any time on the orders.

The hon. Member for Oldham, West forgot to remind us that it was a Labour Chancellor who, in 1967, was the first to try to take family allowance away from the majority of families. He also forgot to tell us about the child benefit cheat—when the House approved the move to combine child tax allowances and family allowances to produce a child benefit, with which the Labour Government refused to go ahead. He also talked about a Christmas bonus of £2,000, but forgot to tell us that the Labour party took away a Christmas bonus of £10. This strikes me as the sort of sterile speech which we are used to hearing from the hon. Member for Oldham, West, and the sooner he is moved on to other pastures to make way for the hon. Member for Newport, West, the faster we shall proceed in our debates.

There are some serious problems to tackle in the years ahead, and we should approve the orders. I shall spend a few moments talking about what has been called child benefit, but which I think should be called child cash allowance. In the mid-1970s, we discussed whether it would be more sensible to get rid of child tax allowances, whereby the rich received more and people below the tax threshold got nothing. No one then anticipated that the name "child benefit" would mean that it would always be argued about in the bilateral discussions between the Department of Social Security and the Treasury.

A problem was anticipated, which was why my right hon. and learned Friend the Member for Surrey, East (Sir G. Howe), who became the Chancellor, and Patrick Jenkin, the then Member for Wanstead and Woodford, agreed in 1978 that child benefit would not be taken into account in social security spending but would, in effect, be netted off against tax.

We face two problems, for which I do not in any way blame the present Front Bench team or the Chief Secretaries over the years. It is in the nature of the bilaterals for the Chief Secretary to ask how he can squeeze down Government spending, while the Department of Social Security wants to concentrate help on those who most need it. Those are the two functions; the problem is a functional one.

I have a proposal that I do not expect my right hon. Friend the Minister of State to comment on in winding up. I expect that he will spend most of his time batting the hon. Member for Oldham, West round the court. I suggest, first, that the debate should consider whether there should be an allowance for the child. If the answer is clearly yes, taxable capacity is reduced and needs are increased. Plainly there should be a child allowance. Secondly, is it better for the allowance to be a tax allowance or cash? It should be a cash allowance and decisions about the level of such allowances should be removed from the Department of Social Security, thereby lifting one of the burdens from my right hon. Friend the Secretary of State. Decisions about child allowance should be made by the Treasury.

I have discovered a secret in the House. In answer to a question asked by my hon. Friend the Member for Brentwood and Ongar (Sir R. McCrindle), my hon. Friend the Minister of State, Treasury said that she would not answer any questions about child benefit because the Budget is on the way. That reply is contained in the *Official Report* of 31 January 1991, column 1094. The Minister of State gave the same reply to the hon. Member for Sheffield, Central (Mr. Caborn). I do not think that that was a coded signal, because I do not think that the next Budget will set the level of child cash allowances. If I am wrong and I have underestimated the speed at which the Treasury accepts the logic of an argument, I shall willingly apologise, by public press release and not secretly in the House.

The term "child benefit" is a mistake. It is sensible for the Treasury to ask the Department of Social Security to be the paying agency, but the allowance must be taken out of the public expenditure round. That is where things have gone wrong. It is wrong to say that, if my right hon. Friend the Member for Finchley (Mrs. Thatcher) had continued as Prime Minister, we would not have had the same improvement. I believe what I have heard—that the previous Chief Secretary to the Treasury, now my right hon. Friend the Chancellor, and my right hon. Friend the Secretary of State for Social Security had agreed and shown the results of their agreement to my right hon. Friend the previous Prime Minister before all the excitement.

The freeze for the three years before that was a mistake, and I said so when I was a Minister. If we are to avoid such mistakes, we must change the name of the benefit and transfer the responsibility. When we do that, we will make further progress and the child allowance will not just be indexed to inflation, but increased. There was newspaper speculation that the previous Prime Minister had some people in.

Mr. Newton: I had no intention of getting involved in this issue. I thought that I had listened carefully to the hon. Member for Newport, West (Mr. Flynn). If the hon. Gentleman seriously suggested or implied that the child benefit increase had anything to do with the change of Prime Minister and leadership of the Conservative party, he was talking utter nonsense. The uprating statement was made the best part of a month before the events in question.

Mr. Bottomley: I do not think that the hon. Member for Newport, West (Mr. Flynn) said that. It was mentioned slightly earlier, when we were discussing new and old regimes. I hope that we can move the matter forward. Child allowance should be cash or a tax allowance. I hope that we will hear less from David Willetts until he comes to the House.

Sir Timothy Raison (Aylesbury): I cannot give an authoritative answer on these issues, but my hon. Friend should explain why he thinks that the Treasury would be more generous than the Department of Social Security.

Mr. Bottomley: The Treasury would have to consider the matter when it considered the proportion of mortgage relief granted to people with incomes of more than £20,000 a year. About 50 per cent. of that relief goes to those of us

who are so poor that we have mortgages of £30,000 or more and pay tax at the rate of 40 per cent. or more. The value of the tax relief to two people, perhaps television producers or trade union officials, with a combined income of £70,000 a year, is equivalent to 12 child benefits every year and not just during the years when they have children. When the Treasury and the Inland Revenue look at the issue, they will come up with the answer that they used to give and not an answer relating to the structural problem and the name problem.

Having trespassed on the House's hospitality for the second day running, I had better stop. I hope that my speech has been noted. May I please be told whom to ask to get involved in these discussions—whether they are members of the party or the Government? Perhaps that information could also be given to the hon. Member for Birkenhead (Mr. Field). That would enable all of us to move forward, including my right hon. Friend the Member for Aylesbury (Sir T. Raison) before he moves off to advertising. I hope that the House can find some suitable structure.

6.24 pm

Mr. Graham Allen (Nottingham, North): I am pleased to reply to my first debate on social security. This is probably the last uprating debate before the general election, and therefore the last time that I and my hon. Friends will speak on uprating from this side of the House. In that context, it is worth looking back at the social security dark ages, from which we shortly hope to emerge, and towards the enlightenment that is about to begin.

I reaffirm the whole notion of national insurance. It is to the credit of neither Conservatives nor Labour Governments that ordinary people now feel remote from and unconnected to national insurance, which has become an almost secret tax raising revenue of billions of pounds. One of our prime tasks in government will be to ensure that we not only address the level and scope of benefits but that we return to the whole idea of a communal insurance policy. We shall return that idea to the heart of the civilised values that we cherish.

There is such a thing as society, and our standard will be an honest national insurance fund separate from taxation and able to meet needs as they arise. That will be a monumental task, and that is evident when we look at the overgrowth of political expediency and short-termism which encrusts the present system. One of the worst abuses of that system has been the rip-off of our pension funds to the tune of perhaps £10 billion. That matter is still being investigated by the Public Accounts Committee, which will no doubt report in due course.

Mr. Scott: It is important for the hon. Gentleman to clarify his suggestion. Is he saying that the whole of the social security system as we presently understand it, with its contributory and non-contributory benefits, will be funded from a new national insurance fund? If so, how will contributions to that fund be paid by employers and employees, and what will be the level of contribution?

Mr. Allen: No, I am not suggesting that. If I am ever in charge of a review, I shall rule nothing in and rule nothing out.

Mr. Deputy Speaker: Order. The hon. Gentleman is straying wide of the orders.

Mr. Allen: I shall resist any temptation by the Minister of State to go wide of the terms of the orders.

There is evident extravagance and profligacy about subsidising and sweetening private pension companies. Therefore, I hope that no Conservative Member is brainless enough to ask where all the money will come from to give decent pensions to the elderly and adequate child benefit to the mothers. The great SERPS robbery —a wholly party political racket—makes even the £1 million a day fraud by employers on insurance stamps look like a minor misdemeanour, yet both sets of villains have escaped attention—first, because of the technical nature of the offences and, secondly, because the victims are tomorrow's pensioners. Like the sleeping victims of a burglary, they do not know what awaits them and will not find out until morning.

Many of today's pensioners know better, because they have seen what the Government have done to the basic state pension. However hard the Conservatives wriggle, and whatever statistical wheeze they employ, the plain fact that hangs around their necks and will stay there until the election is that breaking the earnings link has robbed the single pensioner of £12·80 a week and a couple of £20·50 a week. That is not a one-off smash and grab, but a recidivist return each and every week so long as they shall live.

Much has been said today about child benefit. The uprating, such as it is, bears all the hallmarks of a "John'll fix it". First, there is a lack of will to tackle the real problem, thinly concealed by a half-hearted, half-baked and, above all, half-priced gesture. One can picture the then Chancellor of the Exchequer, in the last days of the Thatcher Reich—with high interest rates, a massive trade deficit and looming recession all around him—struggling with the knotty problem of which twin should be awarded the new first-born benefit—or should it have been the "Eastbourne" benefit?

Not that honest John would ever try to purchase short-term popularity for a by-election victory. I cannot help thinking that the phrase

"Child benefit will continue to be paid as now"

must have been put in the Conservative manifesto in 1987 by somebody, perhaps a junior Social Security Minister —some anal retentive determined to tell the literal truth, but misleading the gullible, rather in the way that the Prime Minister said recently that the last Labour Government did not have a cold weather payments scheme. That too is literally true, but it ignores the fact that, because of the generous extra needs payments and the electricity discount scheme then in operation, but abolished by the Conservative Government, such a scheme was not necessary. It is petty, it is cheap, and "it is coming to a social security office near you".

Whatever way one looks at these uprating orders, one sees a shabby deal—a budget cut here, a corner cut there. The social fund is a very sad example. The fund is meant to help the most needy in our society—those from broken homes, ex-prisoners, former drug abusers, the mentally ill, the mentally handicapped, and the plain poor. Despite this, the budget is a fraction of the one under the scheme that it replaced, and two thirds of payments come in the form of loans rather than grants—loans, to people already trying to live on £30 or £40 a week.

The Conservative Government should be ashamed of themselves. Instead, they find someone else to blame. In this instance, they foist the blame on the local offices of the

[Mr. Allen]

Department of Social Security, whose social fund budgets are so constricted that ridiculous anomalies arise. At the Public Accounts Committee on Monday, I drew the attention of the permanent secretary of the Department to a particular case in my constituency. A battered wife from the Nottingham, North women's refuge is not high enough on the priority list to get from the Nottingham social security office a grant for a bed, a table and some other furniture. Had she lived in nearby Alfreton, she could have received those payments. Such are the differences in priorities from one office to another.

Meanwhile, people surviving on income support are among those who are being squeezed hardest by increases in water, electricity and gas charges. Public utilities were privatised, in a "money no object" exercise, by the selfsame Conservative Government. The present Government can blow billions of pounds of North sea oil revenue, yet there are 130,000 individuals on transitional additions—130,000 people who have not had an increase in income support for three years.

Others who will judge for themselves the generosity of the uprating include the rising numbers of people being made redundant as a major recession steamrolls them. A few of the severely disabled are assisted by the independent living fund, which the Conservative Government still refuse to put on a statutory footing, despite the obvious and chronic demand.

I am very proud to say that the independent living fund is in my constituency. The officers who serve it do a magnificent job—a job of which the Secretary of State and his team and, indeed, the rest of us should be proud. None the less, it is a scheme created to put a problem—as the Government see it, a public expenditure problem—at arm's length. Next, I understand, there may be an agency, or the problem may be referred to local authorities. This is a way of sweeping a difficult situation under the carpet.

The creation of a social security benefits agency is another case in point. When Members of Parliament table questions about matters within the competence of that agency, the answers will not be printed in *Hansard* for the benefit of all Members, who might then ask questions relating to the benefits of people in their constituencies. Members making such inquiries will receive letters from the chief executive of the agency, and if other Members wish to see those letters, they will have to go to the Library. That undermines what little democracy and accountability this House has in respect of social security matters.

Mr. Ian McCartney (Makerfield): What my hon. Friend is describing is a broken promise. At meetings of the Select Committee on Social Security, it was made absolutely clear that the opportunities to question Ministers about the internal workings of the Departments would be undiminished.

Mr. Allen: My hon. Friend has made a very pertinent point. I hope that, even at this stage, the Secretary of State will reconsider the way in which social security matters within the realm of the benefits agency might be brought before this House. This is a central point of parliamentary accountability.

I should like to answer a query about the amount of money spent on state pensions. We can all bandy statistics. This is an area in which that happens all the time. Central to our commitment to social security expenditure must be the principle that those people who, in some way, are cared for out of social security expenditure should share in the prosperity of the nation. So far as I am concerned, the most startling statistic in this area is the reduction in expenditure as a percentage of gross domestic product. Between 1984-85 and 1989-90, expenditure fell from 12·2 per cent. to 10·3 per cent. That is a very significant and sad statistic. Perhaps the Minister of State will comment on it.

Mr. Nicholas Soames (Crawley): What would the Labour party do?

Mr. Allen: The hon. Gentleman asks what we shall do. I do not want to stray too far from my brief, but I am pleased, in reply to a question from a sedentary position, to say that the hon. Gentleman will be made very well aware of our intentions. I do not know whether he has read the Labour party's documents. If not, I shall be very glad to send him copies. We shall, of course, insist on an immediate increase of £5 a week in the pensions of single people. That £5 will be over and above the increase that will be made in April. In the case of a married couple, the increase will be £8. Thereafter, there will be immediate linkage to earnings or inflation, whichever is the higher.

Mr. Robert G. Hughes (Harrow, West): How much will it cost?

Mr. Allen: The hon. Member for Harrow, West (Mr. Hughes), also from a sedentary position, asks how much it will cost. I shall gladly give him figures provided by his own Government. The pension rise will cost £2·3 billion, and the increase in child benefit will cost £0·75 billion. I make this commitment. Indeed, it is in the Labour party documents for all to see. *[Interruption.]* There is no hidden agenda here. Child benefit will be restored to the level of 1979. In other words, we are prepared to invest in children and in the future of this nation.

Mr. Peter Bottomley: Is the Labour party committed to restoring child benefit to the record level of 1983, or does it consider the lower level of 1979 as the limit? Is it committed to expenditure in any other areas? What proportion of the total increase in public spending promised by the Labour party is made up of increases in child benefit? Is it 100, 50, or 30 per cent. of additional spending?

Mr. Allen: The hon. Gentleman has a cheek. He was a member of a Government who have presided over a reduction in child benefit during the past four or five years. I shall say slowly, for the benefit of the hon. Gentleman, that the next Labour Government will return child benefit to its value when Labour was last in office. That would mean a very much higher level—£2·30 higher than it is under this Government, in which the hon. Gentleman served for many years.

I must make it clear that, much as I would be pleased to make commitments about spending in other areas, the hon. Gentleman must know that no additional commitments can be undertaken until such are considered appropriate in the light of economic developments and economic growth *[Interruption.]*. Hon. Members must allow me to finish my remarks. I should love to answer questions on health, but unfortunately my remit does not stretch that far, just yet.

There can be little doubt that, as the election comes closer, the Prime Minister is seeing in his private opinion polls confirmation that the Conservative myth that being the party of the family is buried under an incontrovertible mountain of payment books. In view of the Prime Minister's style, I guarantee that behind the grin there will be more social security fixes, more opportunist gifts, a little Budget sweetener here and a little panic response there. The day of reckoning is coming sooner than Conservative Members think. For those dependent upon pensions and benefits, that day cannot come soon enough.

6.41 pm

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): As the hon. Member for Nottingham, North (Mr. Allen) came towards the end of his speech, we had some insight into the scale of commitments that the Labour party will offer in its next election manifesto. It may wrap the manifesto in weasel words, but today we have had a commitment on pensioners which appears to amount to some £3 billion. In Committee on the Disability Living Allowance and Disability Working Bill, we discussed a variety of Labour amendments that would have amounted to a further £3 billion expenditure. There is also another range of commitments on child support.

Every time I face the Labour party across the Floor of the House, I am reminded of the comment of my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) about the last Labour Government promising the earth and delivering the International Monetary Fund. I am afraid that that is exactly the position in which any future Labour Government—remote though that possibility may be—will very quickly find themselves.

Today, we are discussing a series of orders, the most important being the uprating order, which provides additional resources of £5 billion for the social security system. The Labour party may say that it is possible to have generous increases across the board, but our approach to social security is to protect the generality of people in receipt of social security benefit from the impact of price increases. Within that overall approach, we wish to ensure that additional help goes to the most vulnerable groups in our society. I should like to refer briefly to each of those groups.

We must, of course, consider the position of pensioners in our society. Any society owes a debt to those who have spent their lives working in the community, for society, and who then look to the state and to the companies which employed them to look after them in their retirement. As was said earlier, the real standard of living of pensioners as a whole has increased dramatically in recent years. Since 1979, it has risen by 31 per cent. in real terms compared with a 3 per cent. increase under the last Labour Government. Indeed, pensioners' incomes have risen twice as fast as the incomes of the remainder of the population.

I know that it is part of the Labour party's attitude of mind that it should think only about the benefits that people receive from the state. We believe that we should consider pensioners' standards of living as they are affected both by their occupational pensions and by the savings that they have accumulated during their working lives, as well as in the context of state benefits. As I said, there has been a 31 per cent. increase in pensioners' standards of living since we took office in 1979, compared with a 3 per cent. increase under the last Labour Government.

I recognise, as any hon. Member recognises, that I am referring to the general position, and that it disguises the fact that some people have had increases in their standards of living greater then 31 per cent., while others have had a lesser increase. We can all identify with the pensioner who has lost out.

Mr. Ronnie Campbell (Blyth Valley): Because of the poll tax.

Mr. Scott: I am not disguising any facts. There are a number of pensioners whose savings were destroyed by inflation during the 1970s. Those people spent most of their working lives at a time when occupational pensions were not so widespread or so generous as they are today. Many working careers were interrupted by the second world war. Our approach, over successive years, has been to give additional help to poorer pensioners. We have provided millions of pounds in additional help for them——

Mr. Ronnie Campbell: What about the poll tax?

Mr. Scott: If the hon. Gentleman wishes to intervene, he should stand up. I would happily give way to him.

Mr. Ronnie Campbell: Will the Minister tell the House about the cost of the poll tax to pensioners? Is it not 10 to 15 per cent. of their income? Even pensioners on low incomes have had to suffer that sort of increase.

Mr. Scott: The hon. Gentleman makes a fair point. The poorer pensioners benefit from community charge rebate and from various other help that we have given to those paying the community charge. That help was extended recently. I recognise that there is a group of poorer pensioners, and we have concentrated help on their specific needs rather than making the sort of grandiose promises made by the Opposition.

Mr. John Battle (Leeds, West): I regret that I have not been able to contribute to the debate. The Secretary of State made great play of the fact that housing costs were no longer included when working out the uprating statement. The difficulty is that the housing costs element of the retail prices index includes other crucial items such as the poll tax and water rates. People must pay a minimum of 20 per cent. of their poll tax, and must also find the money to pay rising water rates. Is it not true that the uprating of means-tested income support takes no account of those vital increases?

Mr. Scott: If the hon. Gentleman would use his influence with some of the council leaders in socialist authorities to hold down the level of community charge, he might be making a sensible contribution to the debate.

In winding up the debate, I seek not to wind up Opposition Members, but to make a serious contribution. I wish to identify groups of people in our society who need some sensible additional help in sustaining their living standards. I want to mention one group that is especially close to my heart, and comes within my job description, and that is disabled people. Again, during our time in office we have more than doubled the provisions for the long-term sick and disabled. We are now spending more

[Mr. Scott]

than £10 billion on benefits for the long-term sick and disabled—an increase in real terms of £5·6 billion since we took office. It is easy to talk in such global terms——

Mr. Allen: And to be inaccurate.

Mr. Scott: I am being both precise and accurate. We are talking about the impact on the living standards of the disabled and about the spread of benefits to more and more disabled people during the period of this Government.

Mr. Allen: Is the Minister aware of the difference between an increase in benefits and an increase in the take-up of benefits?

Mr. Scott: That is precisely the point that I was making when the hon. Gentleman sought to intervene. Surely he welcomes as much as I do the fact that many more disabled people are now receiving the benefits to which they are entitled. Those people did not become disabled under this Government; they were there under the Labour Government. They were not receiving the benefit then, but they are now.

Despite the smirk on the face of the hon. Member for Oldham, West (Mr. Meacher) I hope that he will recognise that that is a real point. The last time he was at the Dispatch Box he criticised me in a rather snide way for "marketing" benefits. Of course we want to do that. We want to make people aware of the benefits to which they are entitled and ensure that they take them up. We will go on marketing both our existing benefits and the new ones that will come into operation in April next year in order to ensure that they go to the people who need them.

Mr. Allen: I, too, would criticise my hon. Friend the Member for Oldham, West (Mr. Meacher). I do not believe that the Minister is marketing some benefits as well as he could. Were he to do so, the Financial Secretary and the Chief Secretary would come down on him like a ton of bricks because of the financial implications. Perhaps he will market family credit a little more effectively.

Mr. Scott: With the greatest possible respect to the hon. Gentleman, who is comparatively new to the subject—I am not being patronising—he knows that this area is demand-led. If people apply, they receive the benefit. It is nothing to do with the Chief Secretary. People get the benefits for which they apply and for which they are entitled. We have seen a dramatic increase in the take-up of benefits and we shall go on seeking to ensure that that continues.

Mr. McCartney: Will the Minister explain why one benefit has been taken away from disabled people—the reduced earnings allowance? Most disabled people become disabled as a result of accidents at work. In areas such as mine, where there is mining and heavy engineering, a considerable number of people who were once entitled to that benefit can no longer claim it. Yet they originally received it in recognition of the fact that they had become disabled because of their activities in industry, either as a result of an accident or because of the environment in which they worked. The Government have abolished that allowance.

Mr. Scott: I understand the point that the hon. Gentleman makes. Last year, I took through the House the Bill that made that change in the benefit system. It is increasingly right that at this time we should concentrate state help on those people who are disabled early in life, perhaps congenitally or as a result of some accident early in life, and who do not have the opportunity to build up entitlements to occupational pensions, compensation from their employers or in other ways. Philosophically that is right. It would be difficult, even for the hon. Member for Oldham, West, who is muttering on the Front Bench, to disagree with that as a principle.

Mr. McCartney *rose*——

Mr. Scott: I do not want to get bogged down. I am trying to answer the debate.

Mr. McCartney: To take that to its logical conclusion, what does the Minister say about the young 21-year-old who has an arm amputated and can no longer claim reduced earnings allowance? There are many such specific cases. Thousands occur in industry each year. There is no reason for withdrawing that important benefit from the industrially disabled, other than to reduce public expenditure.

Mr. Scott: What we have done, in essence, is to alter the priorities within the provision for disabled people while increasing it substantially. I do not want to weary the House with the figures. The philosophical approach that I have sought to outline would need widespread approval.

We are concerned too about the needs of low income families and families generally. We are anxious to look at the whole pattern of provision in that area and if hon. Members would like to contact my right hon. Friend or myself and come forward with ideas for improving the pattern of family support as it presently exists, we would be only too happy to listen to them.

The social fund has proved to be an effective, fair and flexible way of meeting needs that are outwith the normal scope of the social security system. I do not disguise from the House my feeling that that is a difficult area. The single payment system did not work particularly well. It was capricious in the extreme. It was doubling in cost every two years, I think, and it was becoming unsustainable. The social fund has proved a sensible way of providing grants and loans to people with exceptional needs at exceptional times while keeping the pattern of expenditure under sensible control. It is straightforward and it is becoming understood by claimants, and I believe that it works in an effective manner.

Mr. Allen: The Minister will be aware of the recent survey conducted by the National Audit Office which showed that one quarter of income support claimants did not know what the social fund was. Once again, wearing his marketing hat, perhaps he could do something about that.

Mr. Scott: If the hon. Gentleman looked back to the pattern of single payments and the geographical and social spread of take-up under that, he would see that there was even less understanding of the single payment scheme than there is now of the social fund. There is an increasing awareness of the social fund and its capacity to help.

Mr. Tom Clarke (Monklands, West): Has the Minister's attention been drawn to *The Independent* today

where it says that there were 2,347 deaths during the latest spell of sub-zero temperatures.—*[Interruption.]* Am I entitled to ask a question, Mr. Deputy Speaker, or are the hooligans on the Tory Benches determined that the issue will not be raised? The social fund has been extremely unhelpful when it comes to hypothermia. What does he intend to do about that?

Mr. Scott: I think that the press report to which the hon. Gentleman was referring was mentioned earlier. The Government have responded flexibly and in a common-sense manner to the last period of excessive hard weather in Britain.

Mr. Battle: Are we to get a statement every time it snows?

Mr. Scott: If necessary. If we have a period of general and excessively cold weather, it is sensible for the Government to respond to that in a flexible and common sense manner. We have done it twice already. I admire and respect the hon. Gentleman considerably, but if we had stuck rigidly to the rules, he would have been criticising me. The fact that we responded in a flexible and sensible manner should be a matter of congratulation rather than criticism.

The hon. Gentleman made some complimentary remarks about the independent living fund. In Committee, he has been trying to persuade me to turn that into a completely regulated system removing all the flexibility, all the attention to the individual needs of the claimants judged by social workers in order to produce a package of care. That would not and could not work.

Even the Labour party knows that it is not possible to direct more help to the most vulnerable groups in society while promising vast increases in the generality of provision within the social security system. There are many needs in our society, but it is much better to be able to meet them by identifying particular groups and concentrating help on them.

Social spending today is 40 per cent. higher in real terms than in 1979. Most of that growth is the result of the general increases that have protected people against the impact of price increases. Many of them have come about also because of our ability to concentrate help on those most in need. The Government have shown themselves to be caring, and concerned with the needs of the most vulnerable in our society and have produced substantial extra resources to look after them—no lollipops, but real extra money for those who need help most.

Question put and agreed to.

Resolved,

That the draft Social Security (Contributions) (Re-rating) Order 1991, which was laid before this House on 13th February, be approved.

Resolved,

That the draft Guaranteed Minimum Pensions Increase Order 1991, which was laid before this House on 11th December, be approved.—*[Mr. Newton.]*

Resolved,

That the draft State Scheme Premiums (Actuarial Tables) Amendment Regulations 1991, which were laid before this House on 18th February, be approved.—*[Mr. Newton.]*

Resolved,

That the draft Social Security Benefits Up-rating Order 1991, which was laid before this House on 13th February, be approved.—*[Mr. Newton.]*

Resolved,

That the draft Social Security (Contributions) Amendment Regulations 1991, which were laid before this House on 13th February, be approved.—*[Mr. Newton.]*

Resolved,

That the draft Social Security (Contributions) (Re-rating) Order 1991, which was laid before this House on 13th February, be approved.—*[Mr. Newton.]*

STATUTORY SICK PAY

It being after Seven o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to the Order [22 February], to put successively the Questions on the remaining motions.*

Motion made and Question put,

That the draft Statutory Sick Pay (Rate of Payment) Order 1991, which was laid before this House on 13th February, be approved.—*[Mr. Newton.]*

The House divided: Ayes 288, Noes 191.

Division No. 83] **[7 pm**

AYES

Adley, Robert	Clarke, Rt Hon K. *(Rushcliffe)*
Aitken, Jonathan	Colvin, Michael
Alexander, Richard	Conway, Derek
Allison, Rt Hon Michael	Coombs, Anthony *(Wyre F'rest)*
Allason, Rupert	Coombs, Simon *(Swindon)*
Amery, Rt Hon Julian	Cope, Rt Hon John
Amess, David	Cormack, Patrick
Arbuthnot, James	Couchman, James
Arnold, Jacques *(Gravesham)*	Currie, Mrs Edwina
Ashby, David	Curry, David
Atkins, Robert	Davies, Q. *(Stamf'd & Spald'g)*
Baker, Rt Hon K. *(Mole Valley)*	Davis, David *(Boothferry)*
Baker, Nicholas *(Dorset N)*	Day, Stephen
Baldry, Tony	Devlin, Tim
Beaumont-Dark, Anthony	Dickens, Geoffrey
Bellingham, Henry	Dicks, Terry
Bendall, Vivian	Douglas-Hamilton, Lord James
Bennett, Nicholas *(Pembroke)*	Dover, Den
Benyon, W.	Dunn, Bob
Bevan, David Gilroy	Durant, Sir Anthony
Biffen, Rt Hon John	Dykes, Hugh
Blackburn, Dr John G.	Eggar, Tim
Blaker, Rt Hon Sir Peter	Emery, Sir Peter
Bonsor, Sir Nicholas	Evans, David *(Welwyn Hatf'd)*
Boscawen, Hon Robert	Evennett, David
Boswell, Tim	Fairbairn, Sir Nicholas
Bottomley, Peter	Fallon, Michael
Bottomley, Mrs Virginia	Fenner, Dame Peggy
Bowden, A *(Brighton K'pto'n)*	Fishburn, John Dudley
Bowden, Gerald *(Dulwich)*	Fookes, Dame Janet
Bowis, John	Forman, Nigel
Boyson, Rt Hon Dr Sir Rhodes	Forsyth, Michael *(Stirling)*
Braine, Rt Hon Sir Bernard	Fowler, Rt Hon Sir Norman
Brazier, Julian	Fox, Sir Marcus
Bright, Graham	Freeman, Roger
Brooke, Rt Hon Peter	French, Douglas
Brown, Michael *(Brigg & Cl't's)*	Gale, Roger
Browne, John *(Winchester)*	Gardiner, Sir George
Bruce, Ian *(Dorset South)*	Garel-Jones, Tristan
Buchanan-Smith, Rt Hon Alick	Gill, Christopher
Buck, Sir Antony	Gilmour, Rt Hon Sir Ian
Burns, Simon	Glyn, Dr Sir Alan
Butler, Chris	Goodhart, Sir Philip
Butterfill, John	Goodlad, Alastair
Carlisle, John, *(Luton N)*	Gorman, Mrs Teresa
Carlisle, Kenneth *(Lincoln)*	Gorst, John
Carrington, Matthew	Greenway, Harry *(Ealing N)*
Carttiss, Michael	Greenway, John *(Ryedale)*
Cash, William	Gregory, Conal
Chalker, Rt Hon Mrs Lynda	Griffiths, Peter *(Portsmouth N)*
Channon, Rt Hon Paul	Grist, Ian
Chapman, Sydney	Ground, Patrick
Chope, Christopher	Gummer, Rt Hon John Selwyn
Churchill, Mr	Hague, William
Clark, Rt Hon Alan *(Plymouth)*	Hamilton, Hon Archie *(Epsom)*
Clark, Dr Michael *(Rochford)*	Hamilton, Neil *(Tatton)*
Clark, Rt Hon Sir William	Hanley, Jeremy

Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Latham, Michael
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Sir Ian *(Havant)*
Lord, Michael
McCrindle, Sir Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mellor, Rt Hon David
Meyer, Sir Anthony
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Ryder, Rt Hon Richard
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. Tom Sackville.

NOES

Allen, Graham
Alton, David
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beggs, Roy
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Benton, Joseph
Bermingham, Gerald
Bidwell, Sydney
Blackburn, Dr John G.
Boateng, Paul
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Cryer, Bob
Cummings, John
Cunningham, Dr John
Dalyell, Tam
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hardy, Peter
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim (Pontypridd)
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leadbitter, Ted
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Livsey, Richard
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCrea, Rev William
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Mrs Alice
Marek, Dr John
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul

Nellist, Dave
O'Brien, William
O'Hara, Edward
O'Neill, Martin
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Turner, Dennis
Vaz, Keith
Walker, A. Cecil *(Belfast N)*
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Allen McKay and
Mr. Jack Thompson.

Question accordingly agreed to.

Resolved,

That the draft Statutory Sick Pay (Small Employers' Relief) Regulations 1991, which were laid before this House on 20th February, be approved.—*[Mr. Newton.]*

Killingholme Generating Stations (Ancillary Powers) Bill *[Lords]*

Order for Second Reading read.

Mr. Menzies Campbell (Fife, North-East): On a point of order, Mr. Deputy Speaker. Have you received a request from the Government Front Bench for a statement to be made about the current position in the Gulf? You may be aware that developments in the past few hours suggest—I use the word advisedly—that the ingredients for a ceasefire may now be available. This is clearly a matter of the greatest interest to the House, and the whole House would expect the Government to make a statement at the earliest opportunity about a development of such significance.

Mr. Deputy Speaker (Sir Paul Dean): I am not aware of any requests for a statement, but I am sure that what the hon. and learned Gentleman has said will have been heard by those on the Front Bench.

Mr. Martin Redmond (Don Valley): On a point of order, Mr. Deputy Speaker. I want to know whether the Bill is valid. I do not wish to question the Chair, but you will recall the same question being asked in relation to the Associated British Ports (No. 2) Bill. Despite its lengthy consideration in Committee and the fact that no amendment was allowed to be made to it, when that Bill went to the other place it was found to be defective, and to contain an erroneous date. Can we have an assurance that this Bill is valid, has been vetted and is perfectly in order and that, if that is not the case, it will be slung out?

Mr. Deputy Speaker: I assure the hon. Gentleman that the Bill is in order. I hope that we can now get on with the Second Reading debate.

Mr. Jimmy Hood (Clydesdale): Further to that point of order, Mr. Deputy Speaker. I heard what you said, but may I refer you to what the hon. Member for Stroud (Mr. Knapman) said when he introduced the Bill on 14 January? He said:

"Those works will serve generating stations being built under powers already granted by the Secretary of State for Energy."—[*Official Report*, 14 January 1991; Vol. 183, c. 667.]

It is widely reported that the Government are on a three-line Whip to support the Bill. How can it be described as a private Member's Bill when it is intended to give two power stations enabling powers that, according to the hon. Member for Stroud, have already been granted by the Secretary of State? Surely this is a Government Bill and, if there is a three-line Whip on it tonight, as there was on another Bill last week, it cannot qualify under the private procedure.

Mr. Deputy Speaker: The hon. Gentleman means, of course, a private Bill, not a private Member's Bill. His point would be entirely in order if made during the Second Reading debate.

7.18 pm

Mr. Roger Knapman (Stroud): I beg to move, That the Bill be now read a Second time.

Despite what has just been said, the detail of the Bill was substantially discussed at the time of the revival

[Mr. Roger Knapman]

motion on 14 January. If the hon. Member for Clydesdale (Mr. Hood) had quoted me a little more extensively, he would have come up with the answer to his question.

The Bill is extremely mundane, dull and technical, so it is entirely appropriate that the dullest grey Member, in the dullest grey suit should put across the message. Indeed, he is ideal. In the debate on the revival motion I said that National Power plc and PowerGen plc are already building the power stations that are the subject of tonight's debate. No matter what fuel is used, water will be required for cooling purposes.

Mr. Hood: On a point of order, Mr. Deputy Speaker. Has the building of the power stations gone ahead without approval for the measures in this Bill? Is that not a contempt of this House? If one of our constituents was to build an extension to his house without the proper approvals, I am sure civil servants would tell him to take it down.

Mr. Deputy Speaker: The hon. Gentleman can make his points in the debate. Perhaps this is a good opportunity for me to remind the House that the Bill does not deal with the building of generating stations. It deals with auxiliary works and, as a consequence, it is comparatively narrow.

Mr. Alexander Eadie (Midlothian): Further to that point of order, Mr. Deputy Speaker. You have given a ruling which to some extent may circumscribe our debate. In the context of the proposition that the hon. Member for Stroud (Mr. Knapman) is about to advance, we shall consider the generation of power by gas. That has implications for this country and for the European Community. I hope that I have not misinterpreted you, Mr. Deputy Speaker, and that you will not circumscribe the debate. After all, we are discussing the implementation of our power generation.

Mr. Deputy Speaker: The Bill does not deal with power stations. It deals with auxiliary works. I do not want to restrict unduly the scope of the debate on a private Bill. Let us see how we get on.

Mr. Knapman: My hon. Friends and I had high hopes that Opposition Members would have read the Bill since we debated the revival motion.

Mr. Redmond: Before the hon. Member for Stroud (Mr. Knapman) was interrupted by those points of order, did he say that this simple and mundane Bill related to constructing lagoons? Does it deal with extracting water into lagoons?

Mr. Knapman: I am sorry, but I did not hear the hon. Gentleman's last sentence.

Mr. Redmond: I assume that the hon. Gentleman will read from a prepared speech. Perhaps he could go back a few sentences because I was distracted earlier and missed his opening comments. I think that he mentioned the word "lagoons".

Mr. Knapman: I may well have been ad libbing. That might surprise hon. Members. I described the Bill as mundane and technical. Opposition Members may disagree because they think that it deals with the building of power stations. It does not.

The Bill is required for the construction of the necessary cooling water works and, in that case, only to overcome certain prohibitions in the Humberside Conservancy Act 1905, which no doubt Opposition Members have read with care. The Bill does not seek to circumvent any planning permission procedures. The power station developments already have consent and deemed planning permission after full local consultation.

We look forward to hearing from the Under-Secretary of State for Energy, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory).

Mr. James Pawsey (Rugby and Kenilworth): We look forward to his words of wisdom.

Mr. Knapman: Indeed, and we appreciated his wisdom during the debate on the revival motion.

The objections to the Bill are rather sad.

Mr. Michael Brown (Brigg and Cleethorpes): Would my hon. Friend care to rephrase that? There are no objections to the Bill because there were no petitions against it. There are no objections from my constituents in the area where the power station is to be built and there is no objection from the Labour-controlled Humberside county council.

Mr. Knapman: My hon. Friend has made a very good point and the way in which he has looked after the interests of his constituents contrasts starkly——

Mr. Redmond: On a point of order, Mr. Deputy Speaker. There was one petition against the Bill, but it was withdrawn. Is the hon. Member for Brigg and Cleethorpes (Mr. Brown) suggesting that hon. Members cannot raise objections to private Bills?

Mr. Deputy Speaker: That is not a point of order. I suspect that the hon. Member for Don Valley (Mr. Redmond) will catch my eye later and it would be in order to make that point then.

Mr. Knapman: We fully understand, particularly at this time of political consensus, why Opposition Members have to say what they say, but we believe that it is a little sad that hon. Members have to act as delegates rather than representatives. We understand the reasons for the objections, but the Bill has nothing to do with coal. It deals simply with inlet and outlet pipes on the River Humber.

Mr. Hood: There was one objection. Who objected and why was the objection withdrawn?

Mr. Knapman: I understand that the Coalfield Communities Campaign objected on the general principle of how the proposal would affect coalfield communities, but it withdrew the objection. It realised, even if the hon. Gentleman does not, that the Bill has nothing to do with coal.

By using the blocking motion as a field on which to fight this mother of all legislative battles, the Opposition are on thin ground. Whenever an issue involves competition, privatisation or capitalism, the Opposition erect a mental Maginot line. The right hon. Member for Islwyn (Mr. Kinnock) recently said that the Labour party must learn to run capitalism better than the Conservatives. That news does not seem to have percolated through to the Opposition Members who are present tonight.

Mr. Kevin Barron (Rother Valley): What my right hon. Friend the Member for Islwyn (Mr. Kinnock) advocated will not be too difficult in view of the state of the economy under this Government.

Mr. Knapman: The Leader of the Opposition will not have an opportunity to put his ideas into practice. If, however, the hon. Member for Rother Valley (Mr. Barron) wants to make a start in that direction, he should support the Bill.

The hon. Members for Wentworth (Mr. Hardy) and for Derbyshire, North-East (Mr. Barnes) objected to the Bill in the House. That did not do them credit, because they have caused much delay and a great deal of expense. What is the point of that?

Mr. Peter Hardy (Wentworth): The hon. Member for Stroud (Mr. Knapman) is, like me, an official of the all-party conservation committee. The main reason for my view of the matter is that it is scandalously unwise to use our relatively limited reserves of gas for steam raising when, in only a few years or generations, we will bitterly regret that waste of a prime resource.

Mr. Knapman: I understand that the power stations use roughly 0·1 per cent. of our proven gas reserves annually.

I wonder why the hon. Member for Wentworth does not take account of the views of the Labour-controlled county council. There have been wide consultations on the Bill. Most recently, the Central Electricity Generating Board, acting on behalf of National Power and PowerGen, sent details of the Bill to 32 interested parties. One was Glanford borough council, which I should have thought might have known what was needed in the area. It replied to the Central Electricity Generating Board on 11 December 1988, saying:

"Further to my letter dated 16 November 1989 I am now able to inform you that on 7 December the Borough Council's Planning Committee resolved that Glanford wishes to raise no objections to the proposals contained in the Bill."

Then there is the Humberside county council, which my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) has already mentioned. It is Labour-controlled and it has no objection to the Bill. It does not seem to share the Opposition's views. At the time of the revival motion, the hon. Member for Don Valley (Mr. Redmond) said that people would not be aware of what is going on—unaware, presumably, that he was criticising the county council and the borough council, which, in any case, are Labour-controlled. I am sure that he would not wish to criticise his colleagues in such numbers.

Mr. Harry Barnes (Derbyshire, North-West): Will the hon. Gentleman give way?

Mr. Knapman: Many hon. Members wish to speak. However, I shall give way once more.

Mr. Barnes: There is also the House of Commons. My hon. Friend the Member for Don Valley (Mr. Redmond) did a service in tabling a blocking motion because it enables the Bill to be discussed fully and properly. It provides an opportunity to present in great detail what the hon. Gentleman regards as the fantastic benefits of the Bill. I wait for that to be done so that my colleagues and I can begin to take on board the arguments for the Bill. We do not have to accept Bills on the nod. As has been said, specific arguments must be examined by the whole House. This Bill was never in front of any council.

Mr. Knapman: I am aware of the hon. Gentleman's keen interest in this matter. He was probably not present at the time of the revival motion.

Mr. Barnes: I was here then. I did not speak, but the same point was made against my tabling a blocking motion. I remember that.

Mr. Knapman: We would have greatly looked forward to the hon. Gentleman staying in the Chamber for longer during the debate on the revival motion. In view of all the interest that has been expressed, I wonder why local constituencies that are represented by the Labour party are not taking a more active interest in the matter. Where, for instance, is the hon. Member for Glanford and Scunthorpe (Mr. Morley)? Is he representing the views of his constituents? What are his views? Do some people believe that the hon. Member for Glanford and Scunthorpe agrees with the Humberside county council, which is controlled by Labour, or does he agree with his hon. Friends that the Bill should be defeated? We do not know because he is not here.

Mr. Hood: On a point of order, Mr. Deputy Speaker. I am asking you for some help. The hon. Member for Stroud (Mr. Knapman) is referring to Opposition Members having no interest in the matter and wanting to interfere in what he thinks is a local county council matter. Am I correct in asking him to provide the House with information about why he sponsors the Bill? Is he being paid for sponsoring it?

Mr. Deputy Speaker: It would not be right for me to ask the hon. Gentleman for information but, if he would like to provide it, it would be in order for him to do so.

Mr. Knapman: I have an apology to make. I should have disclosed an interest. The hon. Gentleman asked me about this matter during the debate on the revival motion. I purchased 150 shares in the London electricity distribution company. I might be due for a profit, if I sell them tomorrow, of about £100, but the expenses might outweigh the profit. I am trying not to let that prospect colour my judgment too strongly. What I said about the hon. Member for Glanford and Scunthorpe also applies to the hon. Member for Great Grimbsy (Mr. Mitchell), whose constituency can be only two or three miles away from that of the hon. Member for Glanford and Scunthorpe.

Mr. Michael Brown: I have nothing but the most superb relations with the—Labour—hon. Members for Great Grimsby (Mr. Mitchell) and for Glanford and Scunthorpe (Mr. Morley), both of whom are excellent constituency Members of Parliament. The fact that they are not here and have not signed the blocking motion demonstrates exactly what my hon. Friend has said. Indeed, it is interesting that the only Humberside Members of Parliament present are my hon. Friend the Member for Boothferry (Mr. Davis) and me.

Mr. Knapman: I assure my hon. Friend that I am not trying to do anything to upset the good relations between him and his Labour neighbours. However, the hon. Members for Glanford and Scunthorpe and for Great Grimsby have a constituency interest, because many of their constituents work in the power stations that are now being constructed or will have jobs when they are

[Mr. Knapman]

constructed. The hon. Member for Great Grimsby is not here. He is not usually short of words, but we realise that he may have other commitments.

The borough and county councils, negotiated with the parish councils, about 29 other bodies were consulted, and not one has any objection. It is true that, as a result of consultations, a number of amendments were made, but they were in the form of protective clauses for third parties.

The site was chosen for various reasons, including the fact that it had previously been shown to be suitable for power station development. That has been true since the Killingholme Generating Station (Ancillary Powers) Act 1972, not least because the site lies within an area designated in the Humberside structure plan as an estuary-related industrial area, but there are other obvious reasons why it should be a suitable site. It is an existing area of industrial development. The stations can be built without significant environmental effect. The area is obviously well located in relation to North sea gas. It is suitably located for connection to the national grid system. Above all—this is the crux of the matter—it is close to a source of cooling water. It is obvious that the resources of the River Humber estuary make it the most suitable, convenient and economic source of cooling water for the two power stations.

Hon. Members will know that the 1972 Act specified only one intake and only one outfall, but the number of conduits in each intake and each outfall were unspecified. If only one pipe had been constructed, the diameter of each would have been about 3 m or 4 m. Under this Bill, the pipes would have to be between only 0·6 m to 1 m in diameter.

In the 1972 Act, there was a direct cooled system. The heat was rejected directly to a body of water. In an indirect system, such as the one proposed in the Bill, heat is rejected to the atmosphere by evaporative cooling in the cooling towers, and that is required only to replace that which is lost by evaporation and to prevent the concentration of dissolved salts. It is obvious that a great deal less water is required. Under the Bill, the longest specified pipe is only 390 m, and the longest outfall is 290 m long. Those figures are little more than half the length of the pipes that were envisaged in the earlier Act. As a result, none of the proposed cooling water pipes will extend beyond the jetty line or into the main navigable channels.

In response to repeated requests from Opposition Members, I shall now give more detail about the number of works requested under the Killingholme Bill. The Bill provides for six sets of intakes and outfalls, although only two sets are presently required. Subsequent design alterations mean that PowerGen and National Power do not need all the sets at present, although the site is large enough to accommodate further developments. To develop the full potential of the site, both companies may require extra cooling water pipes. The Bill will enable that to be realised without wasting more valuable parliamentary time.

From the environmental point of view, which weighs heavily with my hon. Friends, the pipes will be buried in the bed of the River Humber so that the crown of the pipe is at least 2 m below the existing river bed level. Although the final construction details are to be confirmed by the companies' turnkey contractors, one possible method is to dredge a trench in the Humber, join the whole length of pipe on the land, and float it out into the river. An alternative method of installation would be to join several lengths of pipes on land and attach them to a frame. The Bill, the substance of which has already been before the House, merely seeks renewed approval for pipes to be laid in the Humber estuary.

I hope that the House will feel able to grant the Bill its Second Reading so that National Power and PowerGen can continue with their construction programme without any further unnecessary and costly delay.

7.39 pm

Mr. Geoffrey Lofthouse (Pontefract and Castleford): I am privileged to have the opportunity of saying a few words in this debate. Although I recognise that it is a narrow debate and I shall try to respect that fact, I am sure that you will appreciate, Mr. Deputy Speaker, that when such a Bill will have a major effect on another industry and on thousands of jobs, debate on it should allow hon. Members to express their fears about the distress that it may cause to that other industry and to the many thousands of people who work in it.

Clause 29 refers to protection for the British Coal Corporation. That seems ironic, given the fact that the past few years—and even more recently—have seen the devastation of British Coal. It is worth noting that National Power and Associated British Ports, which are mentioned at length in the Bill, have recently become happy bedfellows.

It is right that the Bill should receive the strictest scrutiny, because the recent history of Associated British Ports leads one to demand such scrutiny. When the Associated British Ports Bill was going through the House, sponsored by the hon. Member for Brigg and Cleethorpes (Mr. Brown), who is now busy chatting to the Whip, both the Committee and the House were deliberately deceived. Indeed, without that deceit, the Bill would never have got through the House.

At the time, two Bills—those relating to the Immingham and the Killingholme ports—were being considered by opposed Private Bill Committees. The Committee requested that the Killingholme Bill should be amended to prevent the company from being sold in less than 10 years. Because that was not acceptable to the company, the Bill did not see the light of day again. However, during the debate on the Immingham Bill, no such assurance was given, and the Bill passed through the House. The Committee issued a special report, which hon. Members will no doubt remember, highlighting the fact that the Bill was acceptable to the Committee only if the Government took action to protect British Coal and the jobs there. The Government have never taken any such action.

Under this Bill, the two power stations will be run on gas. That is a further nail in the coffin of this country's coal industry. As a result of the Immingham Bill, Associated British Ports will now be the happy bedfellow of National Power and PowerGen, because they are to take over 80 per cent. of the company that has been set up to equip and run operations at the port. That fact was never mentioned during the Committee's deliberations.

Incidentally, it was never mentioned in the many debates on these matters in the House by the hon. Member for Brigg and Cleethorpes—[HON. MEMBERS: "Did he

know?"] Of course he knew. I am not suggesting for one moment that, at any stage during the Committee's deliberations, National Power and PowerGen had any association with Associated British Ports. However, I am accusing Associated British Ports, the sponsor of the legislation and the hon. Member for Brigg and Cleethorpes, of a complete con and a deceit. I repeat that the House was deceived. Without such deceit, the Bill would never have seen the light of day.

During those deliberations, assurances were given by no less a person than Sir Frank Layfield that the major improvements to the port at Immingham

"were not designed specifically in any sense of the word for coal purposes. They depend mainly upon general industrial and other consumers' current needs and the need to eliminate present existing wasteful difficulties and practices. If passed it will have that effect in our submission."

However, that is not the case now——

Mr. Allen McKay (Barnsley, West and Penistone): It never was.

Mr. Lofthouse: As my hon. Friend says, it never was. The port has been erected and extended purely and simply to allow foreign coal to be imported. That has been done on behalf of National Power, which, according to Mr. John Baker, is to import 50 per cent. of its coal after 1993. The Bill, however, will allow the building of two gas generating plants—*[Interruption.]* This is a serious matter, despite the smirks on the faces of some Conservative Members.

I am pleased that the Chairman of the Select Committee on Energy, the hon. Member for Rochford (Dr. Clark) is now in his place. In the past week, the Select Committee has taken evidence from expert witnesses, one of whom told us that National Power is negotiating not only to import foreign coal—we heard that evidence from Shell, with which National Power is already negotiating—but, if the witness is correct, to purchase foreign coal mines.

What a ridiculous situation when there have been another four, five or six pit closures in recent weeks, including one at Allerton Bywater. About 500 of the 800 men who work there live in my constituency. I am surprised that the hon. Member for Elmet (Mr. Batiste) is not in his place, because Allerton Bywater is in his constituency, and I should have thought that he would be here to defend it.

Mr. Hardy: I am sure that my hon. Friend will recall that, during Energy questions on Monday, Conservative Members boasted about the enormous sums of money that had been invested in the coal industry during the lifetime of this Government. Have they no thought for the public money that they have invested when they encourage actions that render the investment useless?

Mr. Lofthouse: I share my hon. Friend's views.

The Bill must be scrutinised as thoroughly as possible. I do not trust anything that Associated British Ports has got its fingers in. As I have already said, National Power, PowerGen and Associated British Ports look as if they have a cosy little arrangement. It is not beyond the realms of possibility that National Power and PowerGen will welcome British Coal being run down to a size—which I have forecast in the past few months—of about 10,000 men and 10 to 12 pits by the mid-1990s. They will gladly get their greedy hands on those pits, if, God forbid, the Government get back into power and the coal mining industry is privatised.

Any Conservative Member who supports the Bill supports a measure which encourages the burning of gas at the expense of British coal and sterilises millions and millions of tonnes of coal in Britain—millions of tonnes of natural energy within our own shores. Yet they know full well that, in less than a decade, we shall not be able to meet the demands of power generators in Britain. They will allow us to become completely dependent on our foreign competitors to supply our main source of energy once the gas is no longer there and the oil is not always there any more. Yet hon. Members know that, once a mine is closed and the coal is sterilised, one can never return and mine the coal.

It is nothing short of criminal. The Bill will help to make us dependent for our energy supplies. In my view, National Power and PowerGen are making it clear that they have no great concern for the interests of Britain. All they are interested in is the commercial side of their operation, short-term fluctuations and a short-term buck at the expense of long-term supplies. The Bill goes some way towards helping them to do that.

It is fairly obvious that our pleadings and warnings over many years about the national supply of energy have fallen on deaf ears. How long can it go on before Conservative Members realise what is happening? There cannot be any other reason for running down the British coal industry than Tory dogma. There is no logic in the arguments. One cannot make an economic argument in the medium term, although it can be done for the short term. The only reason is that, throughout recent years and especially since 1984, the Government have been so blinded by political dogma that they cannot see anything beyond their blinkered desire to close down British mines.

Britain will eventually pay the penalty for the Government's stupid policies. I assume that the Bill will be accepted tonight. I hope that the Opposed Private Bill Committee will make sure, in view of the cosy arrangements between National Power and PowerGen and Associated British Ports, that guarantees are written into the Bill for British Coal, which is referred to in the Bill. I hope that the deceit which occurred after the Associated British Ports Bill passed through the House will not be repeated. So far, no one has denied or disproved that that deceit took place.

I do not want to embarrass the hon. Member for Rochford, the Chairman of the Energy Select Committee, or the Chairman of the Opposed Private Bill Committee on the Associated British Ports (No. 2) Bill. But the hon. Member for Rochford must think privately that he was in some way conned when he chaired that important Committee, in which he had to give the casting vote time and time again. Knowing the hon. Gentleman as I do, I believe that, when he considers the evidence given to him, he must think about the decisions that he made on the Associated British Ports (No. 2) Bill and that he was conned. I wonder what he would do now if he were chairing the Committee and had in his possession the information that we have now.

My view—I do not expect the hon. Member for Rochford to comment on it—is that the Associated British Ports (No. 2) Bill would not have passed through the House or even seen the light of day. I hope that the Bill

[Mr. Lofthouse]

before the House today will be scrutinised to the highest degree before the Committee and the House allows it to proceed.

7.55 pm

Mr. Geoffrey Dickens (Littleborough and Saddleworth): The hon. Member for Pontefract and Castleford (Mr. Lofthouse) has sincere, deeply held views in support of the coal industry. He has done so for many years. He knows that I have always been most supportive of the coal industry in the Energy Select Committee, on which we both serve. I spent many of my early years in industry in an associated company within the coal-fired power station industry.

There is no doubt that since the miners' strike the coal industry has responded tremendously well, increasing its productivity by about 87 per cent. The future of that industry lies to a great extent within its own hands. The men on the coal face are responding well. They will always have a strong place in our nation and will always have my continued support. Having said that, we must think about continuity and security of supply. We must think about options.

Opposition Members who feel like voting against this Bill may not by so doing put first the interests of the north-east, and certainly those of the whole country, remembering the national grid. Indeed, they may not put first the interests of their own families and of industrial companies in their constituencies. Whatever else happens, we have a responsibility in Britain to keep the lights burning and the factories running. The only way in which we can be certain of doing that is by having a good mix of forms of power stations, so that we can always draw our power generation from sources which are not under threat.

Mr. Allen McKay: It appears that the difference between the hon. Gentleman's views and our views is narrow. He talks about a mix. The Opposition have always talked about a mix of energy supplies. But we have talked about a national mix—not a market mix, which is entirely different. There should be a national energy policy which takes into account the whole system of energy supplies in Britain and eliminates current waste.

Mr. Dickens: That is a different matter altogether. I am not a Minister, so I cannot deliver a national energy policy, but there is some merit in what the hon. Gentleman says.

We must remember that we generate power by natural gas and by coal, and perhaps later by coal gasification. We must consider oil and nuclear energy. Unfortunately, wind, wave and solar energy are not sufficiently advanced to make any great impact on our supply of power.

The Bill concentrates on putting water pipes for cooling purposes into the river Humber. The battle about whether there should be a power station is long past. Permission has been given. If Opposition Members seek to frustrate the Bill, they will simply deny the power stations the cooling water they need, and they will do so merely in an attempt to fight their corner for the coal industry. It is a bogus argument in that sense, because the battle has been won for two gas cycle turbine generators to be built, one for PowerGen and one for National Power. All that we are discussing is whether we should allow water pipes to pass into the River Humber to take a small amount of water for cooling purposes.

Mr. Jack Thompson (Wansbeck): Is the hon. Gentleman aware of any studies on taking water out of the Humber, putting it through the generating plants as cooling water and returning it to the Humber? There are two power stations in my constituency, both coastal, one at the northern end and one at the southern. It is said that significant ecological changes are taking place in the North sea because of the discharge of water from those power stations. Because of the movement of water in an estuary, I imagine that the effect would be more significant in this instance than in the North sea.

Mr. Dickens: I am most grateful to the hon. Gentleman for raising that important point, and I will deal with it later.

As to the type of water extraction and discharges in the power stations to which I have referred, the extractions and discharges required for cooling would be on a significantly smaller scale than those already taking place at coastal and estuary major power station sites, such as those to which the hon. Member for Wansbeck (Mr. Thompson) has referred.

Cooling is required at power stations to condense steam which has been exhausted from steam turbines at low pressures. The cooling may be direct or indirect. For direct cooling, water is extracted from the source of cooling water, passed through condensers and returned to the source of the water. For indirect cooling, the water passing through the condensers is cooled by air, using cooling towers, and the same water is recirculated. Only the water which has evaporated in the cooling towers and the small quantity of purge water need to be replaced. Purge water is water taken from a recirculating cooling system and returned to the river in order to control the concentration of materials in the water. Normally, direct cooling would be used, but at Killingholme the distance from the water makes the capital cost of indirect cooling systems less than that of direct systems.

Combined cycle gas turbine power stations generate only one third of their electricity from the use of steam in steam turbines. The other two thirds is produced by generators driven directly from the gas turbines. In comparison, 100 per cent. of the electricity generation is from steam turbines in coal, oil or nuclear power stations.

The Killingholme development will use indirect cooling systems. The combination of indirect cooling and combined cycle gas turbine technology means that the requirements for cooling water are significantly reduced. In fact, it requires only 5 per cent. of that for direct cooling at existing power stations, like Fawley, Kingsnorth or Sizewell, per unit of electricity generated. That is important.

On the environmental aspects, the aspects of effluent discharges from power station cooling systems that require consideration are chlorine and temperature. There is no legislation relating to these two effluents since they are regulated by the National Rivers Authority in considering the term of the discharge licence.

Some form of biocide is usually necessary in cooling water circuits to deter the settlement and growth of

organisms, such as barnacles and mussels, and to control algae, slimes and bacteria. At present, chlorine is used in one form or another.

Mr. Jimmy Hood (Clydesdale): The hon. Gentleman is getting very technical. I would appreciate it if he could help the poor lay Opposition Members. Will he explain the process involved with biocides, what they do and how they work?

Mr. Dickens: I will indeed—I shall be coming to that soon.

Since chlorine has been used for many years, its use is very well understood, except on the Labour Benches. It has the best balance of advantages compared with disadvantages.

The main disadvantage of any biocide, including chlorine, is that it must be applied to the entire water volume. Biocide dosing is carefully controlled and minimised for both environmental and cost reasons. Power stations therefore operate with chlorine at the limits of detection in the water discharge. The chlorine reacts chemically with organic materials throughout the cooling system and its concentration reduces as it reacts. As stated previously, the dose level is regulated so that it has virtually completely reacted and is only just detectable at discharge. In addition, the purge water discharge will be very rapidly and significantly diluted by river water at the point of discharge. The combination of low concentration, further continuing reaction and major dilution virtually eliminates traces of free chlorine at a very short distance from the discharge point. I was pleased to have the opportunity to explain that.

Mr. Hood: I thank the hon. Gentleman very much for the explanation. I now understand a biocide and its use as clearly as mud.

Mr. Dickens: My hon. Friends understand it. That is why we are prepared to stay late to deal with the Bill when we could have rushed back to our constituencies.

Mr. Jack Thompson *rose*——

Mr. Dickens: I want to make more progress before giving way to the hon. Gentleman.

The temperature of the water discharged will vary with ambient temperatures. The maximum temperature differential between the water discharge and the estuary will be 7 to 12 deg. C. That will be of interest to the hon. Member for Wansbeck, so I hope that he is listening carefully. The quantities of water discharged from the power stations will be very small compared with the flow of water in the estuary, and dilution effects very rapidly bring water temperatures down to background river levels. It has been found that the effects of heat gain from the sun can far exceed warming effects from cooling water discharges. That is exceptionally important.

Mr. Michael Brown: There is only one problem about that—in the Humber estuary, we are lucky if the sun ever shines.

Mr. Dickens: If we succeed with the Bill, I think that the sun will shine brightly.

At Fawley, where direct cooling is used with a traditional oil-fired power station in a particularly sensitive marine environment, there is no evidence that the discharge of chlorinated warm water has had any adverse effect on the European Community-designated shellfish waters surrounding the discharge outfall.

Mr. Eric Illsley (Barnsley, Central): The hon. Gentleman is making a number of interesting points. I should like him to go back to the application of biocides. Can he tell us more about the biocides in chlorine, how temperature-sensitive they will be, what effect dosages of biocide would have on wildlife in the Humber estuary, and what measures will be taken to prevent any such discharges?

Mr. Dickens: I am pleased that that point has been raised. That very point has been of great concern to some of the interested parties. Most of them examined closely the point about leakage which my hon. Friend has raised. I mean the hon. Gentleman, of course—I nearly called him my hon. Friend because we went to Japan together.

The interested parties consulted included Glanford borough council, Humberside county council, North Killingholme parish council, Anglian Water plc, the Electricity Council, Lindsey oil refinery, Shell UK, British Telecom—I do not know why that is in the list—the Department of the Environment, the Duchy of Lancaster, the local Members of Parliament and the European Parliament, the National Rivers Authority, the North Eastern Sea Fisheries, the port manager of Associated British Ports at Grimsby and the harbour master of Associated British Ports at Hull, British Rail's eastern region, Trinity House, the Crown Estate commissioners, Immingham town council, British Coal Corporation, Simon Storage Company Ltd., Conoco Ltd. and so on. I shall not detain the House by listing the others.

That list of interested parties demonstrates the care and sensitivity of the promoters of the Bill, National Power and PowerGen—the successors to the Central Electricity Generating Board—who have ensured that everyone is in harmony and understands what is intended. We have no complaints.

Mr. Terry Patchett (Barnsley, East): I am awfully impressed by the hon. Gentleman's knowledge of the Bill. In what part of the Humber would he discharge the water?

Mr. Dickens: I wonder whether the hon. Gentleman understands the pipework involved. If not, I will give him a talk on it.

Mr. Patchett: Right now?

Mr. Dickens: Yes, if the hon. Gentleman wants me to detain the House.

At the moment, entry into the Humber is being sought quite close inshore, just underneath the seabed. It is likely that each power station—hon. Members will be aware that we are talking about two power stations on adjacent sites—will use two pipes. That is what is required. The Bill, however, gives permission for 12 if others are required to deal with breakdowns.

The construction programme for the power stations is worthy of note as it reveals the rate of progress and when those power stations are expected to be operational. The power plant contract for the National Power station was placed on 6 July 1990. The preliminary work started on 2 January 1991 and the main site work is due to start on 1 August 1991. It is hoped that full commercial operation

[Mr. Dickens]

will commence on 31 July 1993, which will mean that much more electricity is produced for the lucky people of the north-east.

The preliminary works contract and power station turnkey contract for the PowerGen station was placed on 1 February 1990. The preliminary works were completed on 13 June 1990 and the main site work started in September. It is hoped that the first module will be fully commissioned and its acceptance tests completed on 1 October 1992. The second module should be fully commissioned and its acceptance tests completed by 1 February 1993.

Mr. Jack Thompson: Does the hon. Gentleman agree that there is something suspect about organisations which make an application and receive permission to build two power stations then having to come to the House for permission to put the pipes in? If the House turns down the application for those pipes, what will happen to the power stations?

Mr. Dickens: I am glad that the hon. Gentleman raised that point, because we are trying to replace an archaic permission that was given some time ago—a permission given in the event of an oil-fired power station on the same site. Tonight we are simply trying to ensure that those power stations have access to cooling water. It is a purely technical matter and no harm will be done to the Humber, the sea or local residents.

This Bill has been introduced because the promoters could not bring themselves to believe in a million years that some hon. Members would be so bigoted and entrenched for other reasons as to oppose the installation of the pipes. The promoters thought that their request was simple and straightforward. Hon. Members should please note that all we want is to give the people of the north-east and the rest of the country electricity. All we want is permission to put pipes into the Humber for cooling purposes. We shall achieve that today.

8.15 pm

Mr. Martin Redmond (Don Valley): I listened with great interest to the hon. Member for Littleborough and Saddleworth (Mr. Dickens), and he certainly enlightened me on the technical aspects of the Bill. The sponsor, the hon. Member for Stroud (Mr. Knapman), failed to reach such technical heights.

The Opposition intend to oppose all private Bills that seek to facilitate the generation of power until we have a national energy policy, which we need for the benefit of the entire country. If we leave the production of power to market forces, consumers will be held to ransom by the high charges that the power companies will want to impose. Now that the CEGB has been broken and privatised, it is all the more important to ensure that prices to the consumer are reasonable.

I do not believe that the two proposed power stations will benefit the country. I am at a loss to understand why the hon. Member for Stroud has sponsored the Bill. I should have thought that it would be easier for that hon. Member whose constituency is adjacent to the site to act as the sponsor, as he has local knowledge. Perhaps the promoters' experience with the hon. Member for Brigg and Cleethorpes (Mr. Brown), however, made them a little reluctant to let him get his hands on another private Bill so soon.

We have been asked why we are seeking to go against local Labour-controlled authorities. I can understand why any local authority approached for planning permission for a power station grants such permission, given the number of jobs that that would create for local people. I can understand their keenness for those power stations. I cannot accept, however, that I have no right to express views contrary to those of my Labour colleagues, Conservative colleagues or anyone else. I have a right to my opinion and to express it, even if it is not accepted by others.

We are concerned about British Coal and the number of jobs left in that company. I have one pit left in my constituency—I believe that it is a long-lifer, if there is such a thing today. There are many jobs connected with the pit: likewise, the proposed power stations will generate ancillary jobs. I am not bothered about differences of opinion: all I believe is that there is a need for a national energy plan.

The Bill does not meet that need, so I cannot understand why companies should go to the great expense of building two power stations and then come to seek to promote a private Bill, which they should have done when they submitted the plans to the local authority and the Secretary of State. I can well understand the urgency of Conservative Members, the companies involved and the Private Bill Office in seeking to rush the Bill through to ensure that there is no hold-up in the erection of the power stations and the pipework that requires the water to ensure that both come on stream at the same time to start producing electricity.

As far as I am aware, there have not yet been any accurate forecasts of future energy demands. The forecasts always seem to go over the top. I remain to be convinced of the need for the additional generation.

Mr. Eric Illsley (Barnsley, Central): Will my hon. Friend comment on the quality of management of the companies involved in promoting the Bill, bearing in mind the fact that they have commenced work on building power stations without having gained permission for the effluent pipes, so aply described by the hon. Member for Littleborough and Saddleworth (Mr. Dickens)? I also wonder about the quality of management of the companies that will import half their coal from foreign sources, when we have a record balance of payments deficit. Are not the Opposition right to question closely the Bill's merits?

Mr. Redmond: My hon. Friend is absolutely correct, and he has made his argument in such a fashion that I cannot enrich it.

There is a question mark over the judgment of the people involved, who seek to erect power stations which they might not be able to use because they failed to submit plans to enable them to receive the necessary water. There is a need for the Opposition to continue to examine the issue in great depth, both here on the Floor of the House and, in detail, in Committee. As a point of order, I wonder whether the Bill is correct. I remember the gerrymandering that went on over the Associated British Ports (No. 2) Bill, which the House approved only to find that it had a slight technical defect which went unnoticed until it reached the other place.

I listened carefully when the hon. Member for Stroud (Mr. Knapman) introduced the Bill. He mentioned that it was also designed to construct lagoons. I tabled a question on 25 January 1990 to ask the Secretary of State for Energy if he intended to give planning permission to PowerGen and National Power to construct a lagoon to provide cooling water for the proposed combined cycle gas turbine developments at Killingholme, and if he would make a statement. The reply was:

"If either company wishes to construct such a lagoon they will need to apply for the Secretary of State's consent under section 36 of the Electricity Act 1989. When granting such a consent he may also give a direction that planning permission be deemed to be granted under section 90(2) of the Town and Country Planning Act 1990.

No application for consent under section 36 to construct such a lagoon has been received."—[*Official Report*, 25 January 1991; Vol. 184, c. *325*.]

I was a little at a loss, because the hon. Member for Stroud said that we were merely talking about pipes to take water from the Humber, circulate it around the cold water towers and pump it back out. I do not accept that. There are some signs that lagoons will be built.

Unless I misunderstood or misheard the hon. Member for Stroud, he mentioned lagoons, so I asked him to give way. I do not doubt that the *Hansard* reporters have picked up the word "lagoons" mentioned by the hon. Gentleman. If we are talking about lagoons, that subject should be within the Bill, which should include the words "pipes and/or lagoons". I should be grateful if the hon. Gentleman could clarify that point.

Mr. Knapman: I apologise to the hon. Gentleman. I think that I said that I did not quite catch the final sentence of his intervention. If he mentioned lagoons, I did not realise it until now.

The application is for the intake and outlet pipes only. That is the Bill's whole purpose. As far as I am aware, no one involved with the Bill dreamed that there would be objections to it, because it is designed purely to allow pipes to and from the power stations. However, private Bills sometimes have an unpredictable course, and there are a number of other options, but the one proposed in the Bill is by far the best environmentally, commercially and in every other way. The Bill does not refer to a lagoon as such.

Mr. Redmond: I am grateful to the hon. Gentleman for enlightening me, but I am sorry—once the Bill receives Royal Assent, the companies will not need to come back with another private Bill if they want to construct lagoons. They can simply go to the Secretary of State. If that is not the case, the hon. Gentleman can correct me, but I believe that the Bill authorises the Secretary of State to accept a further application from the companies without them having to resort to section 36 of the Electricity Act.

Mr. Knapman: The Bill is needed only because of the provisions of the Humber Conservancy Act 1905. If someone wanted to construct a 50-storey engineering block or a lagoon, he would have to go through the planning procedures in the normal way.

Mr. Redmond: I am extremely grateful to the hon. Gentleman, but if the Bill were to mention extraction from the Humber into lagoons or standby lagoons, that would be all right. However, the Bill is a cheat and is not truthful; hence my question to the Minister. I was not satisfied, because I knew that discussions had taken place between the Minister and National Power, and it seemed appropriate to try to get the position clarified.

I wrote to National Power and received a letter dated 12 February 1991, which stated:

"I refer to your letter to John Baker on the lagoon option at Killingholme Power Station. As he and a number of other Executive Directors are out of town at the moment, in connection with the flotation of National Power, he is unable to reply personally.

Ever since the inception of our Killingholme project we have considered various ways of securing the necessary cooling water in the light of the 1905 Humber Conservancy Act. Naturally, we have discussed our ideas with a number of interested parties, including officials of the Department of Energy. We have concluded that the proposals put forward in the Killingholme Bill represent our preferred solution and we remain fully committed to . . . this."

The hon. Member for Stroud says that the issue of lagoons never entered the argument. The Bill clears many of the obstacles and gives the Secretary of State carte blanche to grant all sorts of planning permission. There is no point in anyone trying to kid me. There is connivance between the two power companies and the Department of Energy. If everything is straight and above board, why can they not come forward and state their precise intentions?

It is right for the Opposition to look in great detail at proposed legislation and to lift stones, because we may find something nasty underneath. We have a right to examine the Bill in depth if we feel that that is necessary. The sponsor is being less than honest in not presenting all the facts about short and long-term plans. Because people are economical with the truth, we shall have to wait a long time for evidence to emerge. Of course, by then it will be too late; when the Bill becomes an Act, we will not be able to touch it, as it has received all sorts of approval. This is the only opportunity that we have to look in depth at the Bill.

Is there a plan to build lagoons? If so, why has that not been mentioned? I am sure that the hon. Member for Stroud will apologise for misleading the House when such lagoons are eventually built. The hon. Gentleman lectured us about pipes and pollution. It was far too much for me to take in, and I should be grateful for a repeat of his speech.

Mr. Malcolm Moss (Cambridgeshire, North-East): The hon. Gentleman advances an interesting argument about lagoons. Where in the Bill is there mention of a lagoon? I have looked, and I cannot find one. He says that, although a lagoon is not mentioned in the Bill, one will be built, because the Bill gives permission for something.

Mr. Redmond: I said at the start of my speech that lagoons were not mentioned in the Bill. However, I know that they were discussed and will continue to be discussed for some time. Are the companies being deliberately misleading or deceitful about that matter, which obviously has implications for the environment and for the Humber Conservancy Act 1905? Perhaps, if lagoons had been mentioned in the Bill, the Royal Society for the Protection of Birds and other conservation bodies would have taken a greater interest, made objections and organised petitions. Lagoons have been mentioned in private. Any hon. Member seeking confirmation of that should ask the hon. Member for Stroud whether lagoons were discussed.

The letter that I read to the House shows that pipes are the preferred option, but it does not state categorically that there will be no lagoons. I am sorry to labour the point.

[Mr. Redmond]

The Bill permits the abstraction of water from the Humber, and it will allow the Secretary of State to take decisions without having to come to the House. I am willing to allow the hon. Member for Stroud to give a categorical assurance that no lagoons will ever be constructed on that site. Obviously the hon. Gentleman cannot give that assurance. I shall move on.

Madam Deputy Speaker (Miss Betty Boothroyd): That is a good idea.

Mr. Redmond: I did not intend to be at cross purposes with such a charming lady, Madam Deputy Speaker. You are extremely tolerant and understanding. However, because of the leeway extended to Conservative Members, I sought to develop the point and seek clarification. It is clear that I am right and that the Bill's promoter is wrong.

Pipes will take water from the Humber and that water will circulate in the system and then be pumped out. We are told by the experts on pipes, the hon. Member for Littleborough and Saddleworth, that that will cause very little pollution in the Humber. I do not know what pollutants the water will pick up on its travels round the cooling system. Will there be some mechanism to extract pollutants before the water is returned to the Humber?

Mr. Dickens: I am certainly not an expert on pipes. I asked for some briefing material before I came to the Chamber. From the briefing material that I have read and my study of the subject, I know that the issue of lagoons does not arise. Containers or catchment areas are not needed. In my speech, which the hon. Gentleman will be able to read and study tomorrow at length, I dealt with the imperfections and materials in the water. They are taken care of because there must be a clean system.

Mr. Redmond: The hon. Gentleman is too modest. His speech showed that he was articulate and had a good knowledge of the subject. What he said about pollution raised the question whether filters would remove pollutants before the water was discharged. It was said that there would be some pollution, but that, because of the controlled way in which the water was released, pollutants would be slowly dispersed in the Humber, and tidal waters would carry them far away.

There is bound to be pollution. A power station somewhere in the north causes pollution about which the Irish complain.

Mr. Dickens: Perhaps I can clarify this point. The water released into the Humber would be no more polluted than the bath water in which we immerse ourselves—warm, chlorinated water. Indeed, bath water is soapy, and that is dangerous.

Mr. Redmond: There would be pollution, and the effect would be long-term. Only after many years have we begun to understand the effects of pollution on the ecosystem. I assume that the water being discharged would be warm. No doubt my hon. Friend the Member for Wentworth (Mr. Hardy) will comment on the effects on mussels and other wildlife. It is necessary that the extent of the pollution be understood, but no one has asked any questions about its nature. Obviously it is necessary to be wary. If the Bill goes to Committee, the Committee members will want to examine this matter very closely.

Then there is the question of sludge. It is necessary that water discharged into the Humber be free of silt.

Mr. Jack Thompson: I have not heard any answers to the questions that my hon. Friend is asking. We have not heard whether the water would be discharged by gravity or by means of a pumping system. The discharge of water under pressure has significant safety implications. Eddies are created, and the estuary bed is disturbed.

Mr. Redmond: My hon. Friend makes a very important point. The promoters of the Bill have made no reference to this matter. I assume that water would be discharged under pressure. Of course, I cannot be sure about that. *[Interruption.]* Apparently it would be.

Mr. Michael Brown *rose*——

Mr. Redmond: The hon. Member for Brigg and Cleethorpes wishes to intervene. On a number of occasions when I sought to intervene, he refused to give way. However, as I am a gentleman, I shall give way.

Mr. Michael Brown: Of course, I am only a secondary modern schoolboy and probably did not have as good an education as the hon. Gentleman. I shall have to be trained in these matters.

If the hon. Gentleman is concerned about pollution, let me tell him that this power station would emit virtually no sulphur dioxide and about half the carbon dioxide and one quarter of the nitrogen oxide emitted by the power stations that I drive past when I am going round the Ferrybridge area.

Mr. Redmond: Pollutants of that sort will be produced from South African coal. But I shall not be diverted by the hon. Gentleman.

We could argue about whether there are solutions. The Government ought to put their hands in their pocket and provide the necessary cash to help eliminate the problems. The technology needed for their elimination is there; what is needed is the cash. We can find billions of pounds to wage war overseas, but the war against pollution has to take a back seat. It is right that we should be concerned about pollution.

Clause 13(2)(a) says:

"the Secretary of State may by notice in writing require the appropriate company".

It should be noted that the word is "may"; it ought to be "will". Because of such wording, one has grave reservations about whether the Bill should be given a Second Reading. I hope that, in spite of the three-line Whip, Conservative Members will see the need to reject it.

Clause 12(4) refers to "21 days' notice in writing". Throughout the Bill there are variations—seven days, 21 days, 28 days. There really ought to be some consistency. Perhaps the period provided throughout the Bill should be 28 days. I hope that the promoters will take note of that point.

I am also unhappy about clause 14, which is entitled "Provisions against danger to navigation". There have been difficulties, but I think that the situation is picking up, and I hope that it will go from strength to strength. The more ships that use the Humber, the greater will be the danger to navigation. One must take into consideration any additional obstacles created by this Bill. We know only too well how serious can be the pollution caused by damage to a ship.

Clause 16 says:

"The Secretary of State may at any time,"—

again "may", where the word should be "will"—

"if he deems it expedient, order a survey . . . and any expenditure incurred by the Secretary of State in any such survey or examination shall be recoverable from the appropriate company."

My understanding is that the Secretary of State would be able to say to a company, "The survey cost £5,000. I now require that amount from you." That is as it should be. It will enable the Secretary of State to monitor activities, and also to ensure that the companies are sticking to the terms of the Bill.

Clause 16(2) states:

"The rivers authority may at their own expense at any time carry out a survey".

I should have thought that, if the companies were genuinely concerned about pollution, they would be only too pleased to pay the rivers authority any necessary costs to ensure that everything is above board and complies with pollution laws.

I am aware that other hon. Members wish to speak, but I felt that it was important to express my anxiety about the omissions from the Bill. I am also concerned about private Bills that give carte blanche authority to private companies compulsorily to purchase land. I do not believe that any private company should have that right, or the right to extinguish rights of way. People have enjoyed rights of way for many years, yet companies, in their pursuit of profit, want to take them away.

The Bill will go to Committee, where we hope that it will be considered in even greater depth, line by line. I hope that the Committee will check and double-check. Our experience of private Bills is that there is some kidology, some gerrymandering and some deliberate misleading of the House through the omission of the true intentions behind a Bill.

Mr. Hood: My hon. Friend's speech is informative. As he has reached only clause 16, I plead with him not to sit down and miss out the remaining 21 clauses. I would much appreciate it if he would continue with his speech and give us the benefit of his wisdom.

Mr. Redmond: I would do so, but I am gasping for a pint. I also have a dry throat.

Mr. Illsley: Perhaps I could give my hon. Friend the opportunity to catch his breath. Before he ends his excellent speech, will he elaborate on his point about the Bill being misleading? We owe a debt to the hon. Member for Littleborough and Saddleworth (Mr. Dickens) because he pointed out the companies' intentions about biocides, the injection of chlorine and so on. My efforts with the "Oxford English Dictionary" failed to reveal any such word as "biocide". Although we obviously understand the meaning behind the hon. Gentleman's speech, we cannot find any definition of "biocide" or, indeed, any examples of "biocides" by their chemical names. Should not the promoters of the Bill come to the House with more detail of the chemicals that the companies intend to put through the pipes, the permission for which we are discussing tonight?

Mr. Redmond: I regret that I am not as conversant as the hon. Member for Littleborough and Saddleworth with all the technical details, so I am unable to answer my hon. Friend's questions. Perhaps the proceedings should be stopped to enable the sponsors of the Bill to clarify those points. My hon. Friend desperately wants to know the answers. If we can be given that information, it is possible that the Bill could then sweep through unopposed. I suspect that, because of the half-truths in the Bill, we will not know the whole truth for a number of years. If you, Madam Deputy Speaker, would like to stop the debate to allow clarification of those points, I should be only too happy to comply with your ruling.

Madam Deputy Speaker: That is an invitation that I must refuse to accept.

Mr. Redmond: I am sure that that is why my hon. Friend the Member for Barnsley, Central (Mr. Illsley) did not put it to you, Madam Deputy Speaker.

I could make many, many more points that would call into question the true intent of the Bill. The Committee must go through it line by line. It must cross-examine the companies' representatives who, I am sure, are listening to the debate. The Committee must ensure that the truth, the whole truth, and nothing but the truth is presented to the House.

8.56 pm

The Parliamentary Under-Secretary of State for Energy (Mr. David Heathcoat-Amory): When this matter was last debated on 14 January, I gave my view about the Bill, and nothing has happened since then to change it. However, for the sake of completeness, I shall summarise my position. In January and April last year, my right hon. Friend the Secretary of State gave his consent and investment approvals for two power stations of the combined cycle gas turbine design. Having given those consents, after due consideration, it would be perverse if my right hon. Friend or I did not support a Bill seeking to provide the necessary ancillary works, which in this case are the cooling water works in the River Humber.

The projects have been exhaustively considered by my right hon. Friend and also by the planning authority, as we have heard. The thinking behind the Bill had been set out by my hon. Friend the Member for Stroud (Mr. Knapman), and we have had a most accomplished technical exposition from my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens). In the light of all those considerations, I am happy to support the Bill in its present form.

8.57 pm

Mr. Kevin Barron (Rother Valley): When we last debated the Bill, the Minister spoke from the Dispatch Box for only 10 minutes and failed to answer a number of questions that I and my hon. Friends asked. In view of his even briefer time at the Dispatch Box today, I invite him to intervene during my speech to answer my questions.

The Bill seeks planning permission to complete a multi-million pound project, much of which has already been built. If I had been spending such large amounts of money, I would have done my homework beforehand to ensure that the money was being spent wisely.

When the Bill was debated on Monday 14 January, I said that the Opposition were reluctant to give their approval to the Bill without the House having given due consideration to the implications of increasing the gas generation of electricity.

Contrary to the way in which some Tory Members misrepresented Opposition policy that night, our reluctance is based on Britain's need for a strategy for

[Mr. Kevin Barron]

electricity generation rather than a hotch-potch of new power stations built to suit private generators or the two generating companies that we are told are now in fierce competition with each other.

Once again tonight, the private Bill procedure is being used to make major strategic energy decisions which should properly be made by Ministers of the Department of Energy—a criticism which the Government have again declined to answer tonight.

The hon. Member for Brigg and Cleethorpes (Mr. Brown) was the sponsor of the Associated British Ports (No. 2) Bill. We have never been told why he is not sponsoring this Bill. The Committee which considered the Associated British Ports (No. 2) Bill expressed its concern about being asked to make what were intrinsically policy decisions which should have been made by the Government. Its comments in its special report could equally be applied to this Bill. The Committee said that it was unanimous that the arguments raised complex matters of energy and trade policy for which the Government must take ultimate responsibility. The Government have still to explain their policy on electricity generation.

However, we have heard about some of the casualties. My hon. Friend the Member for Pontefract and Castleford (Mr. Lofthouse) spoke briefly but forcefully about the likely casualties of the change in electricity generation that has taken place during the past two years under the Government. The Bill may not be directly related to that issue, but no one who is listening to the debate or who reads it subsequently should be surprised at the attitudes of my hon. Friends to private Bills promoted by these two companies.

Like my hon. Friend, I believe that the Committee which considered the Associated British Ports (No. 2) Bill —and the House when the Bill was debated on the Floor of the House—were deceived. This Bill may not be directly related to the earlier one, but no one should be surprised at people's attitudes in relation to this Bill.

Mr. Michael Brown: Do the views expressed by the hon. Gentleman and the hon. Member for Pontefract and Castleford (Mr. Lofthouse) represent the views of the hon. Members for Glanford and Scunthorpe (Mr. Morley) and for Great Grimsby (Mr. Mitchell), who are directly affected by the Bill? It is interesting that they are not here.

Mr. Barron: Hon. Members can take part in debates in the House if they so wish. My hon. Friends the Members for Glanford and Scunthorpe (Mr. Morley) and for Great Grimsby (Mr. Mitchell) have not contacted me on the issues involved in the Bill but, like most hon. Members, they are against deception, and that is what I believe took place in the Associated British Ports (No. 2) Bill.

I accept that there is a case to be made for burning gas in certain circumstances, based on efficiency and cleanliness. The environment is important and it should not be ignored. Contrary to what some Tory Members suggest during debates on the coal industry, for example, the Opposition are concerned about the environment, but cleanliness and efficiency are not the only criteria, nor do they override other considerations that we as legislators should take into account.

Applications for the construction of gas generating stations should be based on a range of criteria, such as the efficiency of energy conservation, the use of power generated and the source of the gas.

There can be no question but that we would support the use of gas if it was for combined heat and power development, which would achieve the highest practical efficiency. The short-term advantages of using gas purely for electricity generation are outweighed by the long-term considerations.

Mr. Hood: Some take the view that gas provides a cheap form of electricity generation, and that if we go for gas turbines, everything will be hunky-dory. I remind my hon. Friend of the current situation in rural communities, which rely greatly on bottled gas—the price of which has increased by more than 35 per cent. since the invasion of Kuwait on 2 August. Suppliers of bottled gas have been able to rip off rural communities because of their market monopoly. What guarantee is there that gas turbine generators will not do the same?

Mr. Barron: The worldwide tie-in of gas prices to oil prices ought to bother all right hon. and hon. Members, and the consequences of events in the middle east should concern everyone in the country.

The Secretary of State seems to hand out permission for new gas power stations without giving any thought to their location. If they must be built, it would make more sense for them to be built in parts of the country where there is little or no power generation, rather than in areas that have a large share of power stations—some of which could be displaced.

Over the years, we have frequently argued about the building of power stations in south-east England, which has a major need for electricity. The Government have an involvement because of the need to extend planning permission through the private Bill procedure. Other areas are denied such permission, to right the imbalance in electricity generating capacity.

Mr. Knapman: Has the hon. Gentleman contacted the Labour-controlled Humberside county council to discover why it is in favour of the Bill?

Mr. Barron: I have not, nor has the council contacted me about my Second Reading speech or my actions in that connection. I should be more than happy, however, to receive representatives of that authority—as I did in respect of the legislation involving a new coal terminal that involved the hon. Member for Brigg and Cleethorpes.

Gas is a premium fuel, and to burn it to produce electricity is wasteful. The United Kingdom Offshore Operators Association's evidence to the Cullen inquiry estimated in mid-1988 that there were 25 gasfields in production or under development and that another 35 had been discovered but were not yet developed. The report stated:

"gas production which was currently about 4,500 million cubic feet per day, was projected to halve by the end of this century."

A recent report from the stockbrokers Kleinwort Benson entitled "Natural Gas to set Europe alight" reported:

"substantial new gas will need to be contracted by British Gas from 1995 onwards—but even if gas from new fields in the North Sea is contracted by 1998-2000, there will still be a deficiency between supply and demand."

That has major implications for electricity generation and for all the consumers who are supplied from British Gas mains. The unchecked development of gas generating stations will increase our dependence on imported fuel. Last year, we imported gas to the value of more than 40 million tonnes of coal equivalent. That is a massive fuel trade deficit for a country that is so energy-rich.

The Kleinwort Benson report predicted that increases in European demand will be met in the first instance by the European group of 10, which it describes as a secretive and anonymous group of gas producers who are

"top class, admittedly monopolistic bodies who efficiently control production, transmission, and distribution of natural gas."

That is an obvious extension of the free market that the Conservatives have been forcing down our throats for the past 11 years. According to the report, after 1997, the percentage of imported gas from non-European countries will increase markedly. Surely it is the height of irresponsibility to encourage the dash for gas for electricity generation that we have seen in the past two years.

During our previous debate on the Bill, I mentioned press reports that the two new generating companies had gas contracts with the Caister field, which is scheduled to last for only another seven or eight years. I asked where the gas would come from to supply the turbines after that, but I received no answer—as we have received no answer from the Minister tonight. I ask the question again: will the gas come from the Gulf or the Soviet Union? They are hardly stable, secure sources of supply in current circumstances or, perhaps, for a long time to come.

Mr. Dickens: Perhaps I can assist the hon. Gentleman. The Select Committee on Energy conducted an extensive, in-depth study of gas depletion. I do not think that the hon. Gentleman is doing himself justice by arguing that gas supplies will not be sufficient. Let me set his mind at rest. If he gets a copy of our report from the Library, he will find that his argument is bogus.

Mr. Barron: I do not agree. If the hon. Gentleman himself gets a copy of the report from the Library, he will seee that my name is attached to the gas depletion policy contained in it, because I was a member of the Select Committee that drew it up. If he was present and listening to what was said then, he could be in no doubt that, by the turn of the century, Britain, and western Europe as we now know it, will be dependent on gas from eastern Europe as we now know it. That was one of our more simple findings. I need no lessons from the hon. Gentleman. He had better have another look at exactly what the report says.

Our competitors must think that the Government are crazy to squander our resources in this fashion. If honesty ever overcomes the Department of Energy and its Minister, I believe that they will accept that. Britain should not depend on imported fuel—it should not depend on the undependable. The proper use of our own resources would prevent that.

I want to say something to the hon. Member for Littleborough and Saddleworth (Mr. Dickens), not about his lengthy discourse about the finer aspects of planning applications, but about his comments on security of supply. I agree with him. I think that security of supply is vital. Every electricity user will have put it at the top of his list. A couple of weeks ago, I visited a country that is experiencing an energy crisis. The electricity went off every four hours. The crisis has devastated the country's economy. It imports fuel, and until it can again establish its own source of supply, its economy will go from bad to worse.

Security of supply, however, does not necessarily mean diversity of supply. No-one has ever asked me whether the light bulb at home is lit by nuclear fuel, oil, coal or gas —perhaps methane from a land waste disposal site. People are much more concerned about security than about diversity, as they have every right to be. We, as legislators, should ensure that times of change do not interfere with our ability to keep the electricity burning.

I warn the House that, before we merrily give permission for new generating stations, we must have the opportunity to debate the Government's strategy for—or should I say their lack of interest in?—the careful management of the country's resources. We will not have to face the difficulties—nor will the Tories, because there will not be a Conservative Government in two years' time —but generations to come may have to pay for the decision to import energy.

9.14 pm

Mr. Michael Brown (Brigg and Cleethorpes): This debate is very simple, and the issue is straightforward for my constituency. There is no reason why the House should not give the Bill an unopposed Second Reading.

The power stations are being constructed not as a result of powers required from the House, but as a result of powers that were granted, as my hon. Friend the Member for Stroud (Mr. Knapman) said, some time ago by the Labour-controlled Humberside county council and Glanford borough council.

As my hon. Friend the Member for Stroud said, it is significant that the hon. Members for Great Grimsby (Mr. Mitchell) and for Glanford and Scunthorpe (Mr. Morley), who are assiduous in representing constituency interests, are absent from the debate. If they were concerned about the Bill, they would have been present today. Their absence shows clearly that they will be hoping and praying for the Bill to make progress. They will be aware that the construction companies will create much employment in the area and many members of the work force will come from Grimsby, Scunthorpe and from my constituency. The fact that those two hon. Members are not present today shows that they do not share the view of the hon. Member for Rother Valley (Mr. Barron) or his hon. Friends. They will be concerned to learn that there is a difference of opinion between the hon. Member for Rother Valley and the Labour-controlled county council which they loyally support.

Mr. Hood: Why did the sponsors not have a local Member of Parliament to promote the Bill? Why did they go all the way to Gloucestershire?

Mr. Brown: The Bill's sponsors, National Power and PowerGen, are national companies. They may have decided that my hon. Friend the Member for Stroud is an excellent advocate—something that he has shown today. I cannot compete with him when it comes to advocacy and persuasion in this House. The sponsors choose wisely.

My hon. Friend the Member for Stroud will be the toast of the people of south Humberside for what he has done for my constituency today. I give him full marks for the superb way in which he introduced the Bill. He will be championed by my constituents as well as by the

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constituents of the hon. Members for Great Grimsby and for Glanford and Scunthorpe. I confidently predict that my hon. Friend will receive hundreds of letters from grateful constituents. On behalf of my constituents, I express my gratitude to my hon. Friend for the powerful case that he made today in favour of the Bill.

As I have said before, the Labour party has something against the people of Brigg and Cleethorpes. I do not know why that should be. The Labour party consistently opposes any form of industrial expansion, whether it be docks one year, power stations the next, or construction of pipes the following year. There is something about south Humberside that the Labour party does not like. The Labour party does not want the people of south Humberside to enjoy the benefits of industrial expansion.

Just before the Associated British Ports (No. 2) Bill reached the statute book, the hon. Member for Bassetlaw (Mr. Ashton) warned me in the House—this is in the official record—that if a Labour Government are re-elected——

Mr. Alan Meale (Mansfield): When.

Mr. Brown: All right—when a Labour Government are re-elected, said the hon. Member for Bassetlaw, if there is any construction with regard to the Associated British Ports development, the Labour Government will scrap it. Are the Opposition of that view? I want to know whether the Labour candidate who is to stand in my constituency in the next general election—councillor Ian Cawsey, a delightful young man—will have to say that a vote for the Labour party to sit on the Government side of the House will mean a Government who will knock down, destroy and vandalise the power stations in Luddite way, just as they are committed to knock down the dock development.

The hon. Member for Bassetlaw did the Labour party no service. The poor chap who is the Labour candidate, Councillor Ian Cawsey, has a millstone around his neck because the Labour party are saying that, if it is ever in government, it will knock down the dock development which it opposed when in opposition. If the Bill is passed into law before the next general election, will the hon. Member for Rother Valley as Energy Minister introduce legislation to knock down gas-fired power stations?

Mr. Barron: The hon. Gentleman mentioned Councillor Ian Cawsey when we debated the matter on 14 January. He says that Councillor Cawsey will have another millstone around his neck. He went on to say that the Labour party wants to kill jobs at Killingholme after the power stations are built. I invite him to withdraw that, because I did not say it then and I have not said it today —and nor have any of my hon. Friends.

Mr. Brown: Before I withdraw anything that I have said, perhaps we can get the matter straight. I will withdraw what I said if the hon. Gentleman will confirm that he is saying that, in the event of the Bill passing into law and the power stations coming on stream, a Labour Government would not knock down the power stations and abandon the principles in the Bill. If that is what he is saying and I have misinterpreted him, of course I will gladly withdraw.

But if the hon. Gentleman did not say that, why are we wasting our time today? The hon. Gentleman is implying that, if the Labour party was in power, it will accept the legislation that we have passed, acknowledge that the power stations were a reality, that the gas would be taken out of the North sea and the water out of the River Humber; but his hon. Friend the Member for Bassetlaw is recorded as saying in relation to the Associated British Ports Act 1990 that a Labour Government would stop construction and end the project.

Mr. Barron: When we debated the revival motion, and again today, I said that the Labour party was reluctant to approve the Bill without the House having considered the implications of increasing gas generation. If the hon. Gentleman does not understand that, I do not know what he does understand. I invite him to withdraw. In the previous debate, he said that we were out to kill the project.

Mr. Brown: So there we have it—fair enough. If the hon. Gentleman is saying that, if the Labour party wins the next general election, it will consider the legislation and all the arguments that we have deployed—*[Interruption.]* He added the qualification about being satisfied. However, as I said, if that is the case, I shall gladly withdraw. The hon. Member for Pontefract and Castleford (Mr. Lofthouse) and his hon. Friends do not want any gas-fired power stations on South Humberside in any circumstances.

Mr. Lofthouse: It is obvious that the hon. Gentleman was not listening to my speech. At no time have I said that. At no time would I agree that, when legislation has passed through the House, we would do anything to alter it, apart from through the normal democratic procedures of the House, or decide on the legislation for the period of the life of that Government. I ask the hon. Gentleman not to misquote me again. I ask him to withdraw and apologise. At no time did I even remotely suggest what Labour's policy would be on this issue. Perhaps the hon. Gentleman will withdraw what he said.

Mr. Brown: The hon. Gentleman has said that at no time in his speech did he suggest what Labour's policy would be. I do not know what he is saying—[HON. MEMBERS: "Withdraw."] I am simply saying that, if the hon. Gentleman is saying that there are no circumstances in which the Bill would be repealed once it is an Act—*[Interruption.]* Is that what he is saying? I thought that the whole purpose of an election was that one Government could repeal the legislation of the previous Government. If the Labour party has no intention of repealing any of the legislation passed by the Conservative party during this or the previous two Parliaments, I suppose that we can view the prospect of a Labour Government with some hope.

Mr. Jacques Arnold (Gravesham): Steady on.

Mr. Brown: Indeed.

Opposition Members seem to be protesting tonight that they want to see the Bill on the statute book—*[Interruption.]* Well, I believe that that is what they are fumbling their way towards. They are trying to say, "Look, we have been making speeches in which we have pretended to be against the Bill, but underneath all our threadbare arguments—of course, we really have no arguments—we recognise that gas-fired power stations are

the way of the future. We recognise the power of the argument deployed by the hon. Member for Stroud"——

Mr. Redmond: On a point of order, Madam Deputy Speaker. Perhaps you could draw to the attention of the hon. Member for Brigg and Cleethorpes (Mr. Brown) the fact that he should not turn his back on the Chair, and especially not on a lady.

Madam Deputy Speaker: I can frequently see the pleasant face of the hon. Member for Brigg and Cleethorpes (Mr. Brown).

Mr. Brown: May I reassure you, Madam Deputy Speaker, that, even more frequently, I can see your pleasant face when you are in the Chair? Indeed, it is always a great privilege to face you when you are in the Chair.

Opposition Members seem to have been fumbling their way towards saying——

Mr. Illsley *rose*——

Mr. Brown: I should like to develop this point, but I will consider giving way in a moment.

Opposition Members seem to have been belatedly fumbling their way to saying, "We have been making threadbare speeches this evening, but we realise that we have no argument whatsoever for opposing gas-fired power stations. We recognise that they are far cleaner than coal-fired power stations. We recognise that they emit only half the carbon dioxide of equivalent coal-fired power stations, virtually no sulphur dioxide, and only one quarter of the nitrogen oxide emissions of an equivalent coal-fired power station. Therefore, on environmental grounds, we recognise that there is no way in which we can stand in the way of such power station developments." If that is what Opposition Members are saying, I do not understand why they are likely to seek to divide the House at the end of the debate.

Mr. Meale *rose*——

Mr. Malcolm Moss (Cambridgeshire, North-East) *rose*——

Mr. Brown: I give way to my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss).

Mr. Moss: Does my hon. Friend think that Opposition Members might also take on board the fact tnat generating electricity from gas costs about 2·5p per kWh, compared with coal which costs between 3p and 3·5p per kWh?

Mr. Brown: It was clear from the Opposition's protestations earlier in my speech that, if the Bill is enacted, there is no way in which a Labour Government would seek to repeal it. Clearly, one reason for that is the one outlined by my hon. Friend. Gas is one of the cheapest ways of generating electricity. The hon. Member for Rother Valley has said that the general public do not concern themselves with the manner in which electricity is provided, but I know that, when they receive their electricity bills, the general public do concern themselves with the manner in which the electricity is passed through the electric lights in their houses. I have received many letters from constituents who are worried at their high electricity bills. Even Opposition Members know that there is the prospect of lower electricity bills with gas power generation.

Mr. Barron: The hon. Member for Stroud (Mr. Knapman), who is sitting next to the hon. Member for Brigg and Cleethorpes (Mr. Brown), has shares in one of the electricity companies. Will the hon. Member for Brigg and Cleethorpes join us in condemning the proposed 13 per cent. increase in electricity shares in the privatised companies in an attempt to protect his constituents, just as we wish to protect ours?

Mr. Brown: If the Bill becomes law as quickly as possible, it may be possible to reduce electricity charges more quickly. I hope that many private Bills of this nature will come before the House in the next Parliament, whether there is a Conservative or a Labour Government, because the way to bring down electricity costs is to ensure that we do not pay the unnecessarily high costs of electricity generation that we pay now. Gas-fired power stations are one of the most environmentally beneficial ways of producing electricity. They are also——

Mr. Illsley: Will the hon. Gentleman give way?

Mr. Brown: I will just finish this sentence and then I will give way to the hon. Gentleman—I am sorry that I forgot my promise to give way.

Gas-powered electricity generation will in the long run be extremely cost-effective for the consumer.

Mr. Illsley: The hon. Gentleman said a few moments ago that Opposition Members opposed jobs being created in South Humberside. Why did he oppose the Nirex depository being sited in his area? That would have brought jobs to his constituency. How can he accuse us of not wanting to bring jobs to the area?

Mr. Brown: The hon. Gentleman clearly did not attend any of the interminable debates between 1984 and 1987 when I was constantly in the House speaking on the nuclear waste issue. If he had been in the House and had listened to the reasons that I gave for opposing a nuclear waste site in my constituency, he would know that I said that no jobs would accrue to my constituents. I also drew attention to the fact that the site which Nirex, the subsidiary company of the Central Electricity Generating Board, wanted to use in 1986-87 had been intended for a power station ever since the end of the war in 1945.

During our battles against Nirex in 1985-86 and 1987, the fundamental basis of my argument was that the site had always been reserved for a power station. Indeed, in 1972, there was a proposal to build an oil-fired power station. In 1972, a Bill was brought before the House to provide the powers to build it. I opposed the use of the site as a dump for nuclear waste, because it was intended for a power station.

It is as a result of my winning the battle against the nuclear waste dump that this private Bill is before the House today. But for my victory on that issue in 1986, we should not have the Bill. The hon. Member for Barnsley, Central (Mr. Illsley) should refer to the *Hansard* reports of those debates and examine the arguments that I deployed.

Mr. Meale: Talking of consistency, perhaps the hon. Gentleman, who has just explained why people should support the construction of a gas-fired power station, will

[Mr. Meale]

tell the House why he supported the construction of a private port in his constituency to import coal from abroad.

Mr. Brown: It just shows that I always put the consumer first. I am concerned ultimately about competition. My constituency will be available for people to bring their wares through the port of Immingham. My constituency has a wide variety of industry. We have an oil refinery and a large port and now we are to have two power stations. My constituency is in the vanguard of producing alternatives for the benefit of the consumer in the energy business. Customers can look to Brigg and Cleethorpes and see electricity, gas, power stations and the Conoco oil refinery. My constituency offers a choice to consumers of various ways of generating energy and power. I commend the Bill to the House. I believe that my hon. Friend the Member for Stroud will be the toast of my constituents for the way in which he presented it.

9.34 pm

Mr. Alexander Eadie (Midlothian): The hon. Member for Brigg and Cleethorpes (Mr. Brown) reminds me of Dickens's Artful Dodger; every time he is asked a question, he dodges it. He always seems to be ungracious; when it is pointed out that he has referred to things that have not been said, he does not have the courtesy to withdraw. His speech was practically verbatim the speech he made last time. He will have to get a speech writer, because he has run out of ideas on what to say in debates.

In the preamble, the hon. Member for Littleborough and Saddleworth (Mr. Dickens) talked much sense. For example, he said that we should be concerned about security of supply. I think he also mentioned concern for our children and grandchildren. When he was giving his discourse on when a pipe is not a pipe, he reminded me of an experience I had when I was in Seattle to give a lecture on alternative sources of energy.

I cannot remember all the details, but before I gave my lecture, a young Congressman spoke to the packed audience. He said that he was very busy as a Congressman and that he had to have a speech writer, but that there were dangers in having a speech writer. He described to the audience what had happened to another Congressman.

As that Congressman went on to the platform to address a meeting, a speech was thrust into his hands. He proceeded to read it. It was an appeal to the electors which went something like this, "Vote for me and I will reduce taxation on motor cars and petrol; vote for me and education will be entirely free; vote for me and pensions will be doubled or trebled." He came to the end of the page and turned to the next page where it said, "Now let me explain how I am going to pay for it all." Underneath it said, "You sonofabitch, I found out that you have been seeing my wife. Explain it all yourself."

The hon. Member for Littleborough and Saddleworth delivered his speech with good humour. I tried to explain to him that there is always a danger when one is delivering a written speech.

Mr. Dickens: I should like to thank the hon. Gentleman for the kind things that he has said about my speech. I was careful to give credit to Labour Members for their deeply held views on and support for the coal industry. I think I also said that I stand square with them in their support of the coal industry. The promoters of the Bill are also very committed to the British coal industry. The hon. Gentleman must not lose sight of that.

Mr. Eadie: I am not trying to be critical of the hon. Gentleman in any way. He has made many comments in the House with which I disagree, but I know that he has been very supportive of many aspects of the coal industry. I hope that he will not take offence. I did not think that, particularly in his preamble, he was offensive to me or my hon. Friends or about the coal industry. It is important to examine the hon. Gentleman's preamble, because, when talking about security of supply, we must consider energy provision.

I know that the Bill will be debated at length in Committee, but when it first appeared, mistakes were made. I do not have the time to go into them now, and the House would not want to listen. Since the first appearance of the Bill, however, massive changes have occurred relating to energy provision. For example, the Gulf war —I do not want to go into that now—has made an impact on that provision.

The use of gas for electricity power generation is irresponsible—I agree with my hon. Friend the Member for Pontefract and Castleford (Mr. Lofthouse) about that. We do not have enough indigenous gas to meet our needs; we must import it.

I know that the hon. Member for Littleborough and Saddleworth supports the coal industry. When we talk about energy provision a la security of supply, we are fortunate, because we have enormous supplies of indigenous coal. In that case, should we be considering security of supply? I agree with the hon. Gentleman that we have a responsibility to our children and grandchildren to ensure that we have safe, adequate supplies of energy. I have often addressed the House on the importance of having an indigenous provision of energy. That means everything to us, because, if we do not have energy provision, we shall die. It is of crucial importance.

We are entitled to scrutinise the Bill carefully. My only concern is that many of my hon. Friends who want to speak will not have the opportunity to do so before someone shouts for a vote at 10 o'clock. I do not believe that that does us damage, but, should it happen, it greatly damages Parliament, because one of the criticisms of this place is that we do not spend enough time debating legislation. I do not minimise the importance of this debate, as we are talking about something that sustains life.

When I was considering what to say in this debate, I recalled what Dr. Ernst Schumacher, the extremely talented German chief economic adviser to the National Coal Board from 1950 to 1970 said on pit closures. It is well worth remembering how he described the policy of closing mines that had not been exhausted—my hon. Friend the Member for Pontefract and Castleford has already described that policy as one of vandalism and irresponsibility. Dr. Schumacher said:

"It is a policy of doubtful wisdom and questionable morality for this generation to take all the best resources and leave for its children only the worst. But surely it is a criminal policy if, in addition, we wilfully sterilise, abandon, and thereby ruin such relatively inferior resources as we ourselves have opened up, but do not care to utilise. This is like the spiteful burglar who does not merely pinch the valuables but in addition, destroys everything he cannot take".

My hon. Friend the Member for Pontefract and Castleford mentioned the tremendous amount of investment that the

Government have made. No one can argue about that, but as quickly as they invest, they destroy. Nowadays, comparatively new pits are closed, which means that the investment is, to some extent, a fraud on the nation.

My hon. Friend the Member for Clydesdale (Mr. Hood) will know that, at present, I am battling for the reopening of Monktonhall colliery, which is mothballed, is not closed and contains millions of tonnes of coal. The local authorities have completed a study and produced an argument to show how it could be viable. I regret that they have had trouble meeting Ministers or the chairman of British Coal to discuss the plan, which was drawn up by independent consultants. I am sure that the House will agree that it would be difficult to make a more eloquent critique of the Government's present policy, not only on coal but on energy provision, than the words of Ernst Schumacher, whom I quoted earlier.

During the debate, figures have been bandied about on the provision of natural gas. It is generally conceded that its provision is limited. I hope, if I have time, to come to the issue of price, which was quoted by Conservative Members to further the Bill's Second Reading. I wish to introduce into the debate a western European, rather than merely a British, dimension, because that is relevant to us today.

The war we are waging in the Gulf involves a coalition of forces. One hopes that there will be a coalition of forces and forms of collective security to preserve the peace. But if we talk about collective security in relation to defence and war, we should talk about it in relation to energy provision. There is nothing inconsistent in that.

Western Europe has 31 years of proven natural gas reserves at the 1989 production rate, although half the reserves are held by non-EC countries such as Norway. Western Europe's proven oil reserves are much smaller —only 13 years at current production rates, with Norway holding half of them. The preliminary remarks of the hon. Member for Littleborough and Saddleworth were valuable, because he too has been thinking about that dimension. The world reserves of gas and oil are only 55 years and 44 years respectively. The House should use those figures when talking about security of supply and energy provision for our people. The EC probably has a minimum of 200 years coal reserves at current production rates. That is a viable insurance policy as oil and gas run out. In the EC, there are hundreds of years of technically recoverable reserves of coal.

Coal is probably the most complex of our hydrocarbon resources, it can be converted into many petroleum products and substitute natural gas. That will become necessary in the early part of the next century. When I was a Minister, I was proud to sign an agreement with Sir Derek Ezra, then the chairman of the National Coal Board, to set up three pilot plants to make oil from coal. Different systems were used, but I shall not bore the House with the details. We abuse our scientists far too much because Britain is good at technology. We are an inventive nation. We decided that the best of the three pilot projects would be examined to see if it was commercially viable.

I am sorry to say that the 1979 general election intervened. My successor said that that was the right way to deal with science and technology, but, despite a promise that the projects would carry on, I am afraid that they were buried, because the Government are anti-science and anti-technology. I am sorry to say that, because such an attitude affects the whole nation and in future may affect its wealth.

A rapidly declining coal industry cannot sustain the level of research and development that is needed to prove new technologies of coal liquefaction and gasification. The coal industry continues to decline, and we ruthlessly close pits. As my hon. Friend the Member for Pontefract and Castleford has said, when a pit is closed, there is no way of regaining access to that God-given wealth. How can we develop the new technologies when we are destroying our indigenous capacity to produce coal?

Mr. Jack Thompson: In areas such as mine, and on the eastern coast of Scotland where the mines extend under the North sea, closed mines are certainly written off, because there is no way in which one can gain access to them. That is because the North sea has flooded the workings and the cost of getting back at those reserves would be prohibitive.

Mr. Eadie: I am obliged to my hon. Friend. I know his area well. There was talk in his area about gas and oil. The coalfield in his constituency is very old, and I had a suspicion that all the coal had not been worked. I proposed a working party to examine my hon. Friend's coalfield, because we had discovered from examinations that in many areas there is sometimes more coal than was ever mined. It was possible to discover that because North sea oil exploration has introduced new seismic studies. I do not know whether that applies to my hon. Friend's area, but I had proposed that a working party carry out an examination of that area. I believe that that is the function of Government. After all, as I said earlier, we are talking about wealth.

In recent years, Britain has been the only net exporter of energy in the EC. In 1988, United Kingdom primary energy production accounted for 39 per cent. of all the primary energy produced in the EC. United Kingdom coal accounted for 10 per cent. of the total. This was one of the few secure long-term resources of the Community.

We must look at this matter in a European and global context. When I was gathering these figures, I was surprised to learn that the EC is now nearly 50 per cent. dependent on imported energy. That figure would increase to 55 per cent. if the United Kingdom were to abandon its deep-mine industry and instead import coal, gas and oil. If all EC hard coal production were to cease, and if current consumption rates were to continue, the level of dependency would rise to over 60 per cent.

Mr. Meale: I do not want to disturb the direction of my hon. Friend's speech, but may I ask him to dwell for a moment on the question of the people who work in coalfields throughout the world? I am thinking of the ages of workers, and so on.

Mr. Deputy Speaker (Sir Paul Dean): Order. I find it a little difficult to relate the remarks of the hon. Member for Midlothian (Mr. Eadie) to the contents of the Bill. I am sure that the hon. Gentleman will take note of that.

Mr. Eadie: I understand the point that you are making, Mr. Deputy Speaker, and I appreciate your tolerance. However, I am dealing with points that have already been raised in the debate. As has been said, it will be a scandal if a vote is taken at 10 o'clock. Many of my hon. Friends want to speak.

There has been reference to gas imports, and some very optimistic scenarios have been put forward. It is only right that I should comment on some of them. In 1990, gas imports amounted to 81·4 million tonnes equivalent. Most

[Mr. Eadie]

scenarios anticipate that, by the year 2010, that figure will have doubled. At the end of 1990, the European authorities removed the restrictions on the use of gas in power generation. It is likely, therefore, that there will be many new gas-fired power stations, but where will the gas come from? That question is indeed relevant to this Bill.

We could also ask about the price. For some time, it has been assumed that, except in the case of Norway, the gas will come from the Soviet Union and, to a lesser extent, from Algeria. As the energy crisis in the Soviet Union deepens, this assumption becomes questionable. For that reason, as well as for others, we should question this whole proposition. In 1989, for the first time, Soviet gas production, at 796 billion cu m, failed to meet the planned target of 820 billion cu m. The increase of 26 billion cu m from 1988 did not make up for the drop in oil, gas and nuclear production.

The collapse of Soviet oil output from the record 624 million tonnes in 1990 is forcing the Soviet Union to use more of its own gas supplies. Falling production and the deep crisis in the nuclear industry places even more pressure on the gas industry. In the wake of a series of minor strikes, coal production fell by 32 tonnes to 740 million tonnes in 1989. It fell by a further 4·8 per cent. during the first seven months of 1990, compared with the equivalent period in 1989. There has also been the Chernobyl disaster.

We must appreciate the true position about gas. The EC—that includes us—has only 2·2 per cent. of the world's gas reserves. Western Europe as a whole, at 1989 production levels, has gas reserves of 31·3 years, which is the smallest amount per region, after north America. That shows that it would be a scandal if the Bill, which would mean the burning of gas, were to go through unchallenged.

I can give the figures for gas reserves region by region. North America has 12·6 years, which is a 6·5 per cent. share of the total. South America has 75 years, which represents 5·8 per cent.; western Europe has 31·3 years, which represents 4·9 per cent.; the USSR—on which people have pinned their faith—has 53·2 years, which represents 37·6 per cent.; eastern Europe has 14 years, which represents 0·7 per cent.; Africa has 110 years, which represents 6·7 per cent.; Algeria has 72·3 years, which represents 2·9 per cent.; Asia/Australasia has 55·3 years, which represents 7·1 per cent.; the middle east has 350 years, which represents 30·7 per cent. The source for those figures is British Petroleum.

The middle east has 350 years of reserves, of which Iran has the largest share, with 12·5 per cent. of the total, followed by Saudi Arabia, Qatar and Abu Dhabi, each with 4 per cent. of the total. Declining reserves and the growing import tendency are now being combined with uncertainty about prices. The belief that gas prices are being decoupled from oil prices is no longer sustainable because of the price increases following the third-world shock.

I was astonished that one Conservative Member, who argued in favour of the Bill, tried to promise that, if we allowed the Bill to go through, it would mean a decrease in electricity prices. An examination of the facts shows that to be a bogus claim. In 2010, we will be confronted with a 40 per cent. increase. Solid fuel is to some extent different. Security of supply is a central issue. Oil reserves in western Europe have only about a 12·6-year life at current rates of gas production. Reserves stand at only 31·3 per cent., increasing the insecurity of supply.

Mr. Meale: Will my hon. Friend dwell a little more on the implications of the insecurity of the Gulf, the Soviet bloc and South America for maintaining supplies at gas stations such as the one in the Bill?

Mr. Eadie: For the convenience of the House, I skipped many of my figures, but I showed that, if gas is a diminishing supply—of all the fossil fuels, it contracts—the future of power stations is bound to be jeopardised.

Gas is a wonderful fuel. A lot can be done with it. We are fortunate to have the reserves we do. Unfortunately, we are consuming more than we are finding. The world is consuming more than it is finding. At one time, it was thought that the best way to use natural gas would be in developing the petrochemical industry—the by-products that could be obtained from it. However, we have changed our minds quite a bit on that.

Gas reserves were originally believed to be more limited than is now thought to be the case. It used to be thought that, come the late 1990s, gas reserves would be exhausted. There have been more finds, which we welcome, but there have been no really magnificent finds.

Those who are hell-bent on using gas as a means of generating electricity place much faith in the belief that, although they confess that we would not have enough indigenous gas, cheap gas would be available from the Soviet Union which could be transported by pipes running below the North sea. But that will not materialise. There is much instability in the world at the present. To some extent, the Gulf war is part of the energy production crisis.

Mr. Hugo Summerson (Walthamstow): The hon. Gentleman is right to say that gas and coal reserves will eventually be exhausted. Does he not agree that the generation of electricity by nuclear power will become more important in future?

Mr. Eadie: I have taken part in many debates on the topic of nuclear power generation. The hon. Gentleman must face up to the problem that——

Mr. Deputy Speaker: Order. The real problem seems to be that the hon. Member for Midlothian (Mr. Eadie) is being led astray by that intervention.

Mr. Eadie: I understand why the hon. Member for Walthamstow (Mr. Summerson) asked that question, but the alternative of nuclear power is not the one before us. I was only going to remark that nuclear power is just too unforgiving at present, and I cannot see myself ever being able to forget that.

The security of supply argument was advanced at the start of this debate in support of the Bill. Western Europe's oil reserves have a life of only 12·6 years at current production rates, and gas reserves will last for only 31·3 years. The European scenario has been projected as far ahead as 2010. World oil and gas reserves will also be quickly depleted over the next 20 years. That inherent insecurity will add to the problem of external supply, and is a central issue in formulating not only a national energy policy but an EC-wide policy.

Apart from the moral question whether or not western Europe should continue to monopolise 31 per cent. of world oil imports, the central issue of security must also be considered.

Mr. Knapman *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House proceeded to a Division:

Mr. Hood *(seated and covered):* On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I will take the hon. Gentleman's point of order, but I suspect that it is more a point of frustration. It might be better if he put the point to me after the Division, when it will be easier both for the House and for me to hear.

Mr. Hood: I assure you, Mr. Deputy Speaker, that it is certainly not a point of frustration. At the beginning of the debate, I raised a point about the credibility of the private Bill procedure. It seems strange that the three-hour debate that we were originally allowed should be cut short. The Bill has 37 clauses. Surely it is not in the interests of the House to allow such a short debate on Second Reading, and I ask you to extend it.

Mr. Deputy Speaker: I appreciate that the hon. Gentleman was not able to speak in the debate, and I am sorry about that, but he did manage to make some interventions.

The hon. Gentleman's point is not a point of order for the Chair, but one that he could have made during the debate had he been called. I am sorry that he and a number of other hon. Members on both sides of the House could not be called before I accepted the closure motion.

The House having divided: Ayes 154, Noes 50.

Division No. 84] **[10.13 pm**

AYES

Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Beaumont-Dark, Anthony
Begg, Roy
Bellingham, Henry
Bellotti, David
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boswell, Tim
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Bowis, John
Brazier, Julian
Bright, Graham
Browne, John *(Winchester)*
Buchanan-Smith, Rt Hon Alick
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Speld'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Emery, Sir Peter
Fairbairn, Sir Nicholas
Fallon, Michael
Fenner, Dame Peggy
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Goodhart, Sir Philip
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hesseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Killedder, James
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
MacKay, Andrew *(E Berkshire)*
Madel, David
Mans, Keith
Mates, Michael
Mayer, Sir Anthony
Miller, Sir Hal
Mscampbell, Norman
Mitchell, Andrew *(Gedling)*
Montgomery, Sir Fergus
Morrison, Sir Charles
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Rifkind, Rt Hon Malcolm
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Squire, Robin
Stevens, Lewis
Stewart, Rt Hon Ian *(Herts N)*
Summerson, Hugo
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Wallace, James
Wardle, Charles *(Bexhill)*
Wheeler, Sir John
Widdecombe, Ann
Wiggin, Jerry
Winterton, Nicholas
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Malcolm Moss and
Mr. Michael Brown.

NOES

Allon, David
Armstrong, Hilary
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Benn, Rt Hon Tony
Campbell-Savours, D. N.
Clark, Dr David *(S Shields)*
Cook, Robin *(Livingston)*
Crowther, Stan
Cryer, Bob
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dobson, Frank
Dunnachie, Jimmy
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Flynn, Paul
Foster, Derek
Godman, Dr Norman A.
Golding, Mrs Llin
Hardy, Peter
Home Robertson, John
Hood, Jimmy
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Lamond, James
Lewis, Terry
Lofthouse, Geoffrey
McKay, Allen *(Barnsley West)*
Mahon, Mrs Alice
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Nellist, Dave
Patchett, Terry
Powell, Ray *(Ogmore)*
Rogers, Allan
Rowlands, Ted
Skinner, Dennis
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Vaz, Keith
Wardell, Gareth *(Gower)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wise, Mrs Audrey

Tellers for the Noes:
Mr. Eric Illsley and
Mr. Martin Redmond.

Question accordingly agreed to.

Bill read a Second time and referred to the Examiners of Petitions for Private Bills.

Hill Livestock

10.25 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): I beg to move,

That the draft Hill Livestock (Compensatory Allowance) (Amendment) Regulations 1991, which were laid before this House on 13th February, be approved.

The regulations apply to Great Britain and will bring into effect an increase in hill livestock compensatory allowances used in less-favoured areas. An identical order for Northern Ireland has already come into effect. My hon. Friend the Under-Secretary of State for Northern Ireland is present on the Government Front Bench.

The regulations concern 65,000 farmers, 52,000 of whom are in severely disadvantaged areas. The regulations would increase the rate for cattle in severely disadvantaged areas to £63·30, and for hardy breed ewes, which includes herdwicks, which have become famous as a breed in upland areas, would increase the rate to £8·75. Hardy breed ewes account for 58 per cent. of all ewes in less-favoured areas. For other ewes, the amount will increase to £4·90. In disadvantaged areas, which are slightly less difficult but still less-favoured, the rate for cattle will be £31·65 and for ewes it will be £2·45. That represents a 14 per cent. increase and a global amount of £17·5 million. It takes total public expenditure on hill livestock compensatory payments to £142 million.

I shall not rehearse the history of the payments, but I will concentrate on three or four matters that will interest hon. Members. We had some difficulties in bringing in the new proposals. The Agriculture Council agreed by qualified majority, with the United Kingdom voting against, amendments to the structural regulations in November 1989. Three of the amendments effectively concerned HLCAs. The first was the imposition of a limit of 1·4 per livestock units per hectare as a limit for payment, and a livestock unit is one cow or 6·66 recurring sheep. It also introduced a limit on full Community funding—25 per cent. in the case of Great Britain and 30 per cent. in the case of Northern Ireland—to 60 livestock units per holding, and half that amount was between 60 and 120. Finally, it permitted member states to lay down certain environmental conditions for the grants and for livestock compensatory amounts. The United Kingdom already imposes a limit of six ewes per hectare in severely disadvantaged areas and nine in disadvantaged areas, for environmental reasons to do with the intensity of grazing.

We were obliged by the Community regulations to apply the limit from the 1991 payment, but the payment in our legislation reflected 1990 numbers. In that sense it was retrospective and we had to be satisfied that the regulation concerned was directly applicable. Once that was settled, we were able to print the application forms and the guidance notes, and they went out to farmers in the week of 11 February. We have made special arrangements at the divisional offices and at the Guildford computer centre to process the applications. We can start making payments as soon as the instrument is passed in this House and in another place tomorrow. People are working weekends and overtime to process the applications as fast as we can.

Mr. Andrew Welsh (Angus, East): The regulations come into force as the Minister said, but when will the payments be made? Will he state the time scale, because farmers are desperate to have the much-needed cash in their pockets? Will the allowances be paid by the end of March or before?

Mr. Curry: I was about to come on to that. How much we can pay depends on how many applications we receive. Farmers have to send back their applications. In England, we have received almost 1,300 claims from the midlands and western region and we have processed 41 per cent. of them. We have received 2,600 claims from the northern region and we have processed about 26 per cent. of them. From the south-west we have received about 650 applications and have processed about 23 per cent. Altogether, we aim to have about 55 per cent. of the total payments out by the end of March. We shall turn round the others as soon as they come into the offices. That is the key.

Mr. Alex Carlile (Montgomery): On the same point but in relation to Wales, when can we expect payments to farmers in Wales to be completed? As the Minister knows, farm incomes in Wales are in a particularly poor state.

Mr. Curry: The forms went out on 7 February. I cannot tell the hon. and learned Gentleman when payments will be completed, for the simple reason that that depends on farmers returning the application forms to us. They have all received their forms. As soon as they fill in the forms, we shall turn the applications round as rapidly as we possibly can. We recognise the cash flow problems, and our purpose is to get the payments out to farmers as fast as we possibly can. We have therefore put our offices on standby and they will work overtime and weekends if necessary in order to get the payments out to the farmers.

We have not increased the maximum amount payable per hectare, which is set at £62·48 in the severely disadvantaged areas and £46·86 in the disadvantaged areas. We have held that rate for two reasons. First, to have increased it would have benefited those with the highest stocking rates at the expense of the others, as the actual increase per head would have been lower. Secondly, we wished to have regard to the environmental implications of stocking rates.

Mr. James Wallace (Orkney and Shetland): One of my constituents reckons that he has lost about £2,000 through that rate being held. How long has the figure remained at £62·48? Is it not the case that the Minister could have put it up to a ceiling of £77·33? Even if one accepts the environmental principle, that could be preserved by index-linking the figure that he has chosen. That would at least allow some much-needed income to those who have seen a drop of £100 per head in the price of their cattle.

Mr. Curry: We faced a choice. We wanted to get the money to people who faced the most difficulty. We therefore chose to allocate the resources—which, as in all Government business, are finite—to producers in the highest hills and to increase the headage rate rather than the maximum payable per hectare. We shall of course review these matters in the autumn, as we do every year.

On the differential between the severely disadvantaged areas and the disadvantaged areas, we brought the disadvantaged areas into the scheme in 1985 and paid them at the half rate. We have maintained that differential, which reflects the severity of the natural handicaps. As I

said, a review is due in the autumn and we shall reconsider that differential with an open mind. However, I am not willing to give any guarantees on it.

With those preliminary remarks, which I have deliberately kept limited so that the maximum number of hon. Members could participate, I commend the regulations to the House.

10.33 pm

Dr. David Clark (South Shields): We welcome the fact that we are having this debate on hill livestock compensatory allowances, and we realise why the Government have allowed us to have it. We appreciate that they are in some difficulty in the upland constituency of Ribble Valley and that they feel that by blowing their trumpet tonight and extolling the virtues of their payments, they may be given some credit in that part of the world.

We welcome the debate for a much deeper reason. It allows us an opportunity to highlight the plight of the upland farmer, who is the most pressurised of farmers—and most farmers are pressurised under this Government. The Minister has made great play of the increases in payments this year. We applaud those increases. It would be churlish not to do so, but it is right to put on record the fact that they do not make up in real terms for the four years when the Government froze HLCAs. The payment that farmers get after this increase will be less in real terms than they got four years ago. Those are the years when the damage was done to upland farming and when the income of upland farmers took the greatest strain.

According to the Government's own figures, the income of upland livestock farmers dropped by a dramatic 60 per cent. between 1988 and 1990. That is too large a fall for any farmer to absorb. Income falls can be absorbed for a year or so by delaying maintenance payments, but that can go on only so long. In the upland areas it has gone on far too long. Farmers in such areas rely heavily on HLCA payments, and the difficulties are beginning to show.

The Minister almost anticipated the questions that would be pressed on him from the Opposition. Why was there a delay in payment this year? The Minister gave us a lot of baloney about European this and European that, but he knows that that is simply not on. In last year's statement, looking ahead to 1991, the Minister of Agriculture Fisheries and Food said:

"This will be our review, on our terms, about our hill problems, and we will not automatically carry through the views that have been approved by the European Community contrary to our wishes."—[*Official Report*, 30 January 1990; Vol. 166, c. 160.]

Why the delay? The Minister made it clear that he would be master in his own house and that he would decide what was what. Now, the Under-Secretary of State tells us that the delay is all because of Europe. There has been a history of delay in payments. When the right hon. Member for Morecambe and Lonsdale was Minister, he used to make the announcement in November or December each year, so that farmers knew where they were from the beginning of the incoming year. Under the present Minister, the announcement was made on 30 January last year, and this year it was made on 11 February.

I could not understand the significance of 11 February until I discovered that, on 12 February, the Minister was to address the annual general meeting of the National Farmers Union. That was perhaps a happy coincidence, but the farmers in the uplands must be glad that at least the NFU has an annual general meeting.

Mr. William Cash (Stafford): It is only a small point, but did the hon. Gentleman mean Morecambe and Lunesdale or Westmorland?

Dr. Clark: I meant the right hon. Member for Westmorland and Lonsdale (Mr. Jopling), the previous Minister of Agriculture but one.

This is yet another example of the Minister playing a game of petty politics. He ought to treat upland farmers more seriously.

Normally, the forms are sent out at the end of December and farmers start to receive payments about the end of January. As the Minister has admitted, this year the forms were held back and were not sent out until the middle of February. As we have heard, if farmers are lucky, they will get some payment by the end of March. The Ministry gave no warning to farmers about the delay. Indeed, it was left to Opposition Members to raise the issue persistently to try to find out what was happening. Why were the forms not sent out to farmers earlier? The information required to calculate the payment is based on the details of farms as recorded on 1 January, so why the delay?

The Minister represents many upland farmers and I know that he appreciates the hardship that they face, so why was it not possible to issue part of the HLCA at the end of January and the rest later? There is a precedent for that. In the November before HLCA payments were issued in 1986, the right hon. Member for Westmorland and Lonsdale, then Minister of Agriculture, Fisheries and Food, issued the following statement:

"I am well aware that, following the exceptionally bad weather earlier this year, many farmers in the Less Favoured Areas are facing cash-flow problems. To help this, I am preparing to introduce special procedures for the 1986 HLCA payments under which all claimants will receive about 75 per cent. of their claim very shortly after submitting their application, with the balance being paid as soon as possible after 1st April 1986".

That was a sensible decision, as the right hon. Gentleman anticipated the cash flow problems of 1986. If the Minister does not already know it, his farmers will tell him that, because of the Government's economic policies, farmers today, especially those in the uplands, have similar cash flow problems. Why has the Minister not treated them as sympathetically as they were treated in 1986?

Earlier today, I followed the Minister to the forest of Bowland and I had the great pleasure of meeting a farmer, Mr. Dinsdale, of Cuttock Clough farm. He has 130 hectares of difficult marginal land that goes up to the top of the trough of Bowland. On it he has 300 hardy ewes and 20 suckler cows. He is typical of many upland farmers throughout the United Kingdom. It is vital that they stay in business.

In common with many farmers in my hon. Friends' constituencies, Mr. Dinsdale has diversified to increase his resources. He has a caravan park and a clay pigeon shoot, but he is struggling to make even them pay. This year he will get a subsidy of £8·75 per ewe; last year it was £7·50. Last year he got £1,800 for his wool, but this year he will be lucky to get £1,100. As the Australian and New Zealand wool boards are pulling away from their guaranteed prices, that figure could be even lower. Mr. Dinsdale will get only between £14 and £17 for each of his ewes because,

[Dr. Clark]

as the Minister will be aware, the hardy breed ewes are small and usually have only one lamb at a time. Last year, such ewes fetched £34. The year before they fetched £54. This year Mr. Dinsdale will be lucky to get £17 per ewe. This year alone, Mr. Dinsdale's income will be cut by £6,000, yet the Minister will compensate with a payment of £375 extra for his sheep.

Mr. Cash: Will the hon. Gentleman give way?

Dr. Clark: I hope that this intervention is more relevant than the previous one.

Mr. Cash: The hon. Gentleman is talking about matters relating to the Ribble valley, an area I know well as I was at school there for about 12 years. I therefore know that trough of Bowland well. Contrary to the hon. Gentleman's view that the problems of upland farmers are the fault of the Government, the MacSharry proposals, which come from the European Commission, will work against those who have as much as 130 hectares. In other words, the Government are trying to defend people such as Mr. Dinsdale, but the Commission and the MacSharry proposals will have the opposite effect.

Dr. Clark: I thought that the hon. Gentleman's previous intervention was superficial, but that one was worse. The MacSharry proposals are about the future. The hon. Gentleman has failed to grasp that we are talking about the past and the present. The MacSharry proposals have nothing to do with tonight's debate on current HLCA payments.

Mr. Dinsdale's standard of living has fallen. He has not farmed badly. He is a good farmer, but the economic conditions under which the Government have operated have made it impossible for his farm to be a healthy investment. Agriculture in the United Kingdom this year and the Government's publication confirm how steep the decline has been for Mr. Dinsdale and other upland farmers. I stood on his farm today and he told me of two neighbours who have already quit. They are only two of the 16 farmers who are leaving their farms and land each day the Minister of Agriculture, Fisheries and Food sits in Whitehall place.

Mr. David Nicholson (Taunton): Will it be Labour party policy to make up the £6,000 which was the hon. Gentleman's estimate of what Mr. Dinsdale and his neighbours have lost?

Dr. Clark: I congratulate the hon. Member on making a sensible point and anticipating my very next sentence.

Why does the Minister resist the Labour party's idea of paying such farmers a green premium for managing their farms in an environmentally friendly manner? They look after their landscape; the community wants that sort of landscape and will pay for it. Last year, the Minister of Agriculture, Fisheries and Food gave me hope. He specifically mentioned his hopes to add environmental conditions to the HLCAs. Why has he not done so? The only conditions we have are those imposed by Europe.

The Government's White Paper on the environment referred to integrating environmental and agriculture policies. It stated:

"EC support schemes will be required in return to protect and, where possible, enhance the environment on their holdings . . .

The conservation of the countryside can be an inherent part of good practice in livestock farming, and agricultural policy aims to ensure that basic support for agriculture will provide environmental benefits."

Bearing in mind those promises and the fact that the technical amendments in the sheep meat regime proposals from Brussels for the 1991 price review are likely to lead to a considerable cut in production subsidies for upland sheep farmers, it is imperative that other support, such as environmental payments, is brought forward. By failing to do what they promised, the Government have let down the farmer, the environment and the consumer.

10.47 pm

Mr. Nicholas Winterton (Macclesfield): I have a number of hill farmers in my constituency, and only 10 days ago I met my local National Farmers Union branches and the High Peak Livestock Society, which has many members in the hill district of my constituency. When I met my hill farmers, they appeared to be content with the announcement made to the House by the Minister. But at that meeting, and subsequently, they expressed reservations and advised me that investigation of the rates of the hill livestock compensatory allowances revealed that everything was not as it seemed. It is important that the Minister should clarify those issues tonight.

In order that the House should fully understand the points that I am about to make, I should say that I understand that some rates that applied before—for example, an upper limit payment for six ewes per hectare and a controversial financial limit of £62·48 per hectare —still remain. But the Minister announced a new financial limit of 1·4 livestock units per hectare. I think that I am right about this, but if I am not I shall give way to the Minister. I understand that the limit is for the severely disadvantaged and disadvantaged areas at the relevant rates.

Under the old system, the farmer calculated the number of sheep and drew the relevant rate up to a maximum of six ewes per hectare, The difference between the sheep payment and the financial limit of £62·48 was then taken up by the suckler cow to the maximum financial limit. My farmers were led to believe from a copy of the Minister's announcement in the House that there was a new financial limit of 1·4 livestock units per hectare.

Mr. Richard Livsey (Brecon and Radnor) *indicated assent.*

Mr. Winterton: The hon. Member for Brecon and Radnor (Mr. Livsey) nods agreement.

A livestock unit is defined as one bovine animal, namely a cow, or 6·7 ewes. It is therefore natural to assume that the new financial limit was 1·4 livestock units times the new rate for cows, which is £63·30, which comes out at £88·62. My farmers were under that impression when we met that Saturday morning at a large meeting in my constituency.

On checking with the Ministry of Agriculture, Fisheries and Food regional office in my area, Berkeley Towers in Crewe, and with Nottingham and Wolverhampton and with the Ministry in London, my farmers were told that the old limit of £62·48 per hectare stands, and that is the figure from which they will operate. One accepts that any farmer who does not carry the number of stock required to take him to the financial limit will have an increase under the new rates, but any farmer who is stocked to the maximum rate using the HLCA criteria will not receive any increase.

Mr. Livsey: The hon. Gentleman makes a powerful and correct point. We should find out from the Minister whether the 14 per cent. increase that he mentioned is 14 per cent. within the parameters that the hon. Gentleman describes. Has the Minister done his sums?

Mr. Winterton: I entirely agree with the hon. Gentleman, and I hope that the Minister will clarify the matter when winding up.

One must bear in mind the fact that the size of farm is immaterial, because the limit is financial and is attached to the area. That means that the small farmer will be hit proportionally harder. As the hon. Member for South Shields (Dr. Clark) said, the small hill farmer must be encouraged because, in the context of conservation, such farmers are important and will continue to be so.

I and, I think, many hon. Members are uncertain, and there is no doubt that many farmers in disadvantaged hill areas are also uncertain. Hill farmers in my branch of the NFU and members of the High Peak Livestock Society accept that it is one thing if rates are not raised but that it is entirely another to create the illusion of a substantial rise when that is not the case. I am sure that all hon. Members who represent farming constituencies, and especially those with hill farmers, are aware of the fall in farming incomes in less-favoured areas. They have dropped by 60 per cent. in real terms over the last two years.

That is not my figure, but the official figure published by the Ministry. The controversial figure of £63·30 has been in place since 1984. Since that time, we have encountered grave problems. One of these is inflation, much of which has been generated, directly or indirectly, by Government policy.

Miss Emma Nicholson (Torridge and Devon, West) *rose——*

Mr. Winterton: I will not give way. My hon. Friend is always angry when I speak the truth. *[Interruption.]* Well, if she wants to be helpful, I shall be happy to give way.

Miss Nicholson: Does not my hon. Friend agree that, whereas it is not good that some other product subsidies should be linked to output, a link between this subsidy and output is a very good thing in the modern world, as the upland farmers are producing the sort of meat that every dietitian says we should eat?

Mr. Winterton: I am tickled pink. I am delighted that my hon. Friend is taking my side in an argument. I entirely agree that

> "The mountain sheep are sweeter,
> But the valley sheep are fatter".

I forget who wrote those lines, but they are part of a famous poem that I learned at school many years ago.

The situation facing the sheep farmers in the marginal areas of this country is very serious indeed. Will they get an increase, or will many of them get no increase at all? They require an honest answer from the Government. In the last two years, they have suffered huge income reductions. When will they be assisted? As well as producing food for the nation, they maintain the countryside—and the Government often profess that maintenance of the countryside is one of their high priorities.

Several Hon. Members *rose——*

Madam Deputy Speaker (Miss Betty Boothroyd): Order. We have less than an hour to go, and a number of hon. Members still wish to speak. I, too, shall be tickled pink if Members take to heart my appeal for short speeches.

10·57 pm

Mr. Alex Carlile (Montgomery): The hon. Member for Macclesfield (Mr. Winterton), with his usual ferocious independence, has told the truth. We look forward to hearing a head-on reply to the points that he has made so eloquently.

[Mr. Alex Carlile]

Speaking for the Labour party, the hon. Member for South Shields (Dr. Clark) said that he wanted to applaud the Government for the increase that is reflected in these regulations.

I should prefer to say that we are thankful for small mercies. Small mercies they are. The last thing that the Government deserve for any part of their agriculture policy is applause. It was amazing to hear a Labour Front Bench spokesman speak in those terms.

It is crucial that we look at HLCAs in context. I can use my constituency as a good example. Proportionately, Montgomery is the most agricultural constituency in the United Kingdom. Its dependence on HLCAs and other agriculture support mechanisms is probably as great as that of any other constituency. Let us look at what is happening to constituencies like mine. In recent years, Montgomeryshire has had low unemployment. Now, my constituency has the largest unemployment increase percentage in the whole of Wales. Between January 1990 and January 1991, unemployment rose by 48 per cent.—four times the Welsh average. The figure for men was 53 per cent. In Wales, we in Montgomeryshire have an unenviable lead of 20 per cent., but other agricultural constituencies are also badly affected. Monmouth has experienced a 26 per cent. increase in unemployment in the last year, and the figure for Brecon and Radnor is 25 per cent.

Examples are to be found also in English constituencies with a strong agricultural base. Perhaps the best one to choose is Huntingdon, which is of interest to the Government. Unemployment in that constituency has increased by 44 per cent.——

Mr. John Home Robertson (East Lothian): How many hill farmers are there in Huntingdon?

Mr. Carlile: Huntingdon has a strong agricultural base, and it has had a 44 per cent. increase in unemployment in the past year. The Government should face up to that.

As has been said, Welsh farming income has dropped dramatically. In 1990——

Several Hon. Members *rose*——

Mr. Carlile: I shall heed your injunction, Madam Deputy Speaker—*[Interruption.]*

Madam Deputy Speaker: Order. The hon. and learned Gentleman is not giving way.

Mr. Carlile: In 1990, there was a 23 per cent. fall in Welsh farming incomes, following a 28·2 per cent. fall in 1989. Those decreases do not take account of inflation. The Welsh fall is greater than the United Kingdom average. Finished cattle prices are running at about the same level as 1990, and that means that they are below 1989 prices. Finished lamb prices are well below 1990 prices.

We are extremely concerned about the continuing delays in payments to Welsh farmers. The suckler cow premium was paid several weeks later, just before Christmas. We know what an awful mess the Government are in with the forms for hill livestock compensatory allowances. It is not good enough to blame Brussels. The Government could have produced forms that requested all the information that they needed to make HLCA payments well before the uncertain time that they are now offering. They failed to do so. They know the effects of such delays in an industry that as many as 6,000 farmers left in 1990.

Part of the context of the regulations is, of course, the MacSharry proposals. We support the Government's rejection of those proposals as being highly discriminatory against the United Kingdom, as the hon. Member for Stafford (Mr. Cash) said earlier. As the Government have suggested, the original MacSharry proposals penalise the more efficient producers. We are extremely concerned about the knock-on effects, especially on the livestock sector, and about changes in other sectors.

We will be interested to hear from the Minister what the Government are saying about the new proposals that have emanated—and I use the word advisedly, for they are nothing short of an emanation—from Brussels today. The proposals spell further decline in sheep, beef and milk—a 2 per cent. reduction in the support price for lamb; a 2 per cent. cut in the milk quota; a minute reduction in the green pound, which will do practically nothing to help the British farmer; and the virtual removal of the safety net for beef farmers.

Let us hear from the Minister how this very small HLCA increase fits into that context. He must confess to the House that, overall, there will be a further decline in the position of farmers in the hills of the United Kingdom.

Mr. Curry: Does the hon. and learned Gentleman believe that the budgetary discipline guidelines should or should not be observed? Is he recommending that we should or should not go through the budgetary discipline guidelines? The proposals from Mr. MacSharry, which emanate—whichever verb the hon. and learned Gentleman wishes to choose—are in response to the problem of agricultural budgets exceeding their targets. Does he believe that we should or should not go through those? If he does not, we must exercise restraint; if he does, we want to know that.

Mr. Carlile: We now hear from the Minister what appears to be an acceptance of the appalling revised proposals made today. It is no use telling the farmers of Wales or any of the other uplands in the United Kingdom that they must make do with half an agriculture policy, which is all that he is offering them. We need an agriculture policy that ensures the survival of farming in the hills, for without that there will be nothing on or at the bottom of the hills, as he well knows. It is essential that the Government start planning for the future by introducing new mechanisms within the United Kingdom that include farm management contracts for farmers, country management contracts, and all the other aspects of our 10-point plan that my hon. Friend the Member for Ceredigion and Pembroke, North (Mr. Howells) described so clearly in the House in our agriculture debate a few days ago.

Mr. Curry: Will the hon. and learned Gentleman answer my question? There is a problem of an overrun on the budget. Does the hon. and learned Gentleman believe that there should be measures to bring the budget back within its guidelines—yes or no? That is the question that Mr. MacSharry has to face. That is the question which every member of the Agriculture Council will have to face. It will not go away. It has to be answered.

Mr. Carlile: I will tell the hon. Gentleman again: the Government must produce a policy which will ensure a future for British farmers. If the budgetary disciplines are accepted in the form in which it appears we must accept them, he will have to take steps to produce a policy for the future of upland farms. He has produced no ideas at all, either in this debate or before it. I see some approval from Conservative Members for that statement. No steps at all have been produced to that effect.

Mr. Cash *rose*——

Mr. Christopher Gill (Ludlow): Will the hon. and learned Gentleman give way?

Mr. Carlile: No, there is pressure on time.

We give a guarded welcome to the announcement for HLCA rates for 1991. We are thankful for small mercies. But there are two extremely disappointing aspects. The first is the financial limits. Those financial limits have not been increased from £62·48 per hectare in the severely disadvantaged areas and £46·86 per hectare in the disadvantaged areas. That means that many producers will not be better off because of the increased rates. The EC maximum rates are £77·33 and £58 per hectare respectively. We believe that the financial limits should be moved closer, if not up to those maxima. Let the Minister tell the farmers why the British Government will not increase the limits to or near those maxima.

Mr. Curry *rose*——

Mr. Carlile: I shall not give way. The Minister can reply to the debate later, and I look forward to hearing him.

Many farmers are in a catch-22 situation. They will not benefit from the increase because of their stocking densities. The new rate for hill cows is higher than the maximum stocking density per hectare. That means that hill farmers stocking more than one cow per hectare will lose out on the increases. What sort of support is that for hill farmers? Many will be blocked from benefiting from the increased level of payments. The scheme has been changed far too much and it is now full of inconsistencies.

Another severely worrying matter relates to the disadvantaged areas. The 50 per cent. rule has been retained on disadvantaged area payments. It means that producers in those areas will get only small increases which do not keep pace with inflation over the years. Again, that is an unsatisfactory aspect of the proposals.

Those of us who represent hill farming areas warn the Government that farming is in as serious a decline as that faced by the steel industry years ago and the coal industry too. We see communities faced with break-up and massive unemployment. The Government must do far more than pat themselves on the back over a small increase in HLCAs. They must come forward with a full policy for upland areas, or they will have no credibility whatever in the farming industry.

11.8 pm

Mr. William Cash (Stafford): I only wish to take up the point that has just been made by the hon. and learned Member for Montgomery (Mr. Carlile), to follow my hon. Friend the Member for Macclesfield (Mr. Winterton) and to support the Government in what is an extremely difficult position which has been brought about by proposals emanating from the European Commission, not from the Government. I have the greatest sympathy with the Government's position.

The fact is that the whole of the CAP is in need of significant reform. The fund's structural problems, the way in which the hillstock farmers' difficulties have been addressed, and the problems concerning Mr. Dinsdale, which the hon. and learned Member for Montgomery mentioned, turn on the way in which the situation has been orchestrated. The rules relevant to the 1950s and the 1960s are not relevant to the 1990s and the year 2000.

This afternoon, the Select Committee on European Legislation, of which I am a member, examined proposals to reform the common agricultural policy. It is essential and in the interests of British farming that we get to grips with the real problem—votes in France, Germany, and Italy. Until we address that aspect, we will not resolve the GATT problem, which could bring world trade to a grinding halt. We must appeal to our friends and colleagues in Europe—although sometimes they are not so friendly—to address the issue of helping the farmers of this country, so that we may resolve the issues that arise in the GATT talks.

The hon. and learned Member for Montgomery would not allow me to intervene in his speech, but I draw to his attention the people who are getting substantial subventions from the Community that neither the Commission nor the Community's budget can justify. They are Bavarian pig farmers, those running small or uneconomic farms, those looking to the Commission for a social wage, and those who are not farmers at all but who run farms on a part-time basis.

The problem will not be solved by reducing it to an argument about technicalities. It is a political problem, and one that must be resolved by Community policies directed at the Community, not at the specific interests of individual countries. It will not be resolved until the Community and the Commission are prepared to grapple with the problem, and Mr. MacSharry is prepared to consider the interests of the Community as a whole, not just his own Irish farmers.

I hope that my points will be taken on board by the Commission, because there are those in this House and throughout the country who are no longer prepared to countenance the current situation.

11.12 pm

Ms. Hilary Armstrong (Durham, North-West): The constituency that I represent is not predominately agricultural, but is has some significant and beautiful agricultural land. Much of it is in the north Pennines and is therefore used for hill farming. My constituency also includes land that was formerly given over to industries such as steel and coal, which have suffered from a lack of the intervention which agriculture has enjoyed.

The situation in Weardale is different from that in hill farming areas represented by other right hon. and hon. Members. That community has suffered many economic problems, and they have been intensified by those now confronting hill farmers. The Government's agricultural policies are threatening the future of their communities and their land.

Weardale has traditionally considered itself a working dale, embracing manufacturing and industrial activity as well as agriculture. This week sees the demise of the last of

[Ms. Hilary Armstrong]

Weardale's industrial works, in upper Weardale, and the closure of its mineral works, where mining of fluorspar has been an important activity for many of the families who, although their livelihood is based on farming, have topped up their incomes by involving at least one member in industrial work. During the past three weeks, more than 200 workers have been made redundant and the last 35 will go this week.

I have met the hill farmers numerous times. They held a meeting last night, and have written to me of their concern about the future of wool. Other hon. Members have already mentioned that, and I do not want to go into the details, but the farmers feel that that is another example of the way in which their livelihood is disappearing. Some of the hill farms in Weardale have already been sold off to Saudi Arabian princes who are interested in the shooting rights. I am not sure what the events of the past few weeks will mean for the future of that moorland; there is a slight irony there.

I want the special character of the uplands to be protected and developed, not abandoned. All the farmers tell me—and I believe them—that, unless the land is tended by farmers, it will decline, and I already see signs of that.

Many of the points made by the hon. Member for Macclesfield (Mr. Winterton) and my hon. Friend the Member for South Shields (Dr. Clark) have been raised elsewhere. There is considerable confusion about the nature of the financial reward that the Government's proposals will supposedly bring, and great concern about the delay in the provision of money and about the future structure of support and development. Many farmers genuinely feel that they have been abandoned; they are clutching at every straw presented by the Government, because there is nothing else, but every facet of their livelihood and their life in the community has been stripped away.

I cannot emphasise strongly enough to the Minister the extent of the crisis facing the communities of upper Weardale. Tonight's debate deals with just one aspect of that crisis, but it points to the critical need for a Government policy to deal with the current decline, which affects not only individuals and their families but whole communities and the future of land and land use. I hope that the Government will see the debate in the context of a range of other issues; I have not mentioned interest rates, but they are having a major effect as well.

11.18 pm

Mr. John D. Taylor (Strangford): The Minister mentioned that sitting beside him is the hon. Member for Richmond and Barnes (Mr. Hanley), who is the Minister responsible for agriculture in Northern Ireland. He has been sent over from England to look after the people of Ulster. He and I recently attended a conference at Greenmount agricultural college on the subject of the family farm. One of the main guest speakers was the EC Commissioner, Mr. Raymond MacSharry, from Sligo.

One of the startling facts that emerged from the conference is that 25 per cent. of farmers in Northern Ireland are now trading at a loss. They are losing money per animal. Most of that 25 per cent. farm in what are known as less-favoured areas. It is against that background that we must consider the regulations that have been recommended for Great Britain and which will apply subsequently to Northern Ireland.

The background is also coloured by the fact that, with one exception in the past five years, there has been no increase in HLCAs. As several other hon. Members have said, there has also been a considerable reduction in the real income of farmers in recent years. Farmers' incomes in Northern Ireland have been reduced by 45 per cent. in the past two years.

Agriculture is in a serious state throughout the United Kingdom. We understand the point that the Minister was trying to make to Liberal Members earlier—a point that they would not accept—that there are budgetary restrictions in the European Community and that we have to evolve policies within those restrictions. It is all very well to say that we must help farmers to do this, that and the other, but we must operate within a parameter. Is the policy right within that parameter?

We have two agriculture organisations in Northern Ireland. One, the Northern Ireland Agricultural Producers Association, condemned the new HLCAs. Its spokesman, Mr. Bradley, described them as

"nothing more than a pittance. It is disgraceful. It doesn't take any account of inflation and the fact that hill farmers are worse off today than they were five years ago . . . Farm incomes have fallen by 45 per cent."

The larger of the two organisations is the Ulster Farmers Union. It welcomed the increases for cows and sheep, but it expressed some reservations.

Mr. Roy Beggs (Antrim, East): Does my right hon. Friend agree that the smooth ministerial statement today disguised the pain and suffering that will come soon to farming families who have already experienced lower incomes from livestock sales? Now, because of financial limits, our efficient livestock farmers will have lower incomes disguised as an increase.

Mr. Taylor: The hon. Gentleman makes a valid point. When the Under-Secretary of State for Northern Ireland tried to sell the increased HLCA payments, he said that they would mean an extra £2·7 million for the farmers of Northern Ireland. He ignored the financial limit per hectare. There might not actually be a £2·7 million benefit to Northern Ireland. The hon. Member for Antrim, East (Mr. Beggs) was right to emphasise that point.

The Ulster Farmers Union stated that it is

"extremely concerned that the United Kingdom Government has not increased the Financial Limit per hectare in either the old or new less favoured areas. This will probably pose a problem for smaller farmers with intensive stocking rates."

Mr. Nicholas Winterton: That is the point.

Mr. Taylor: I am glad that Tory Members agree with me.

I am not sure whether the Minister is speaking only for Great Britain tonight or for the United Kingdom as a whole, but I want to ask several questions that apply to the United Kingdom. The Minister's presentation of the deplorable delay in the introduction of the increases in HLCAs was a little too smooth. We should had have them towards the end of last year, but we are getting them three months later. We must have a thorough explanation tonight because farmers are not satisfied with what they have heard and with the reasons that have been given for the delay. Is the delay due to the Government's ineptitude, or is it entirely the responsibility of the European

Community? We need a firm answer. Farmers are losing money. Some 25 per cent. of them are running their farms at a loss, and the delay in the announcement of HLCAs is deplorable.

How quickly will the payments be released to our applicants in Northern Ireland? Will it be done in a matter of days or weeks? As there has been such a delay, we want a special effort to be made to ensure that payments are released as quickly as possible to try to aid the cash flow in hill areas in Northern Ireland and in less-favoured areas.

11.25 pm

Mr. Andrew Welsh (Angus, East): My concern is obviously about Scotland, but my colleagues in Plaid Cymru have expressed their great worry about problems in Wales. Hon. Members have heard tonight that there are common problems throughout every part of hill and uplands agriculture. That industry is crying out for Government action. I hope that we shall hear more than we have heard tonight if matters are to be handled properly for that important sector of the economy.

I hope that the Government realise how imperative it is to get money into the hills and upland areas. Farmers are now facing their lowest incomes in real terms since the second world war, at a time of high interest rates and rising costs. The result is that record numbers of people are leaving the industry. Nowhere are the problems more evident than in the livestock sector, which is being hit hardest. Farmers in the hills and uplands have no alternative but to produce livestock.

Given the importance of that sector in terms of employment, the economy and its role in rural communities, why is there no commitment to those areas and why is there no support? I am concerned that, because of the state of the industry, we may be about to see modern-day clearances of the hills and upland areas of Scotland and elsewhere in the United Kingdom. We must add to those problems the shadow of the general agreement on tariffs and trade and the common agricultural policy proposals. The industry is in trouble, and it is looking for support and action, but it has seen no sign of them from the Government.

Instead of a clear policy, through no fault of their own, our farmers get high interest rates to suit the overheated economy of southern England. Instead of getting assistance, they find that they are hit with falling incomes and rising costs. The allowances are welcome, but they are inadequate to meet the needs of the industry if we want that industry to remain and thrive in rural communities. Hill and upland farmers are crucial to the survival of Scotland's rural communities. They are entitled to ask what future and what commitment the Government see for them. There has been precious little so far.

Why have the HLCAs been delayed yet again? The industry is crying out for income to tide it over its current massive cash flow problems. The Government are perfectly willing to spend massive amounts on weapons of war or on sweeteners for privatisation and all the other items that they consider a priority. It is time that they considered hill and upland farmers and agriculture to be a priority. Much smaller amounts could then bring about massive rewards for the country in terms of food production and a saving in imports and thereby ensure the future of rural communities. Why has the staggered delay been allowed?

I have asked the Minister when payments would be made, and he said that he expected that 55 per cent., of payments would be made by the end of March in England and Wales—that is, if I heard him correctly. He is saying that nearly half the payments will not be made for more than one month. That is totally unacceptable, given the cash flow difficulties facing the industry.

The Minister said that part of the problem was that the farmers had not submitted the forms, but he admitted that the processing figures showed that there was a major difficulty in the Ministry's bureaucracy. He said that, as at 22 February, only 41 per cent. of the forms received in one region had been processed. By definition, therefore, 59 per cent. had not been processed. In two other English regions, 73 per cent. and 77 per cent. respectively had not been processed. In the light of the bureaucratic problem, can the hon. Gentleman guarantee that the payments will be made as soon as possible? A delay until the end of March is too long, given the cash flow problems facing the industry.

Because of the cash flow problems in the industry, I am worried about how far the HLCAs will stretch. Problems are linked. As the Minister is aware, knackeries are closing. Hill and upland farmers in many areas are faced with the problem of getting rid of dead or fallen stock when there is no local knackery to which to send the animals. The extra costs will be borne by the industry. What are the Government doing to assist it?

Mr. Nicholas Winterton: What about transport?

Mr. Welsh: Indeed. Yet another problem is offloaded on to the industry, but there is no sign of any Government action or any acknowledgment of the problem. The United Kingdom is in the minority of European countries in not providing some form of government assistance. It is a matter of priorities. If the Government consider that agriculture, especially the hill and upland sectors, is a priority, the industry could be given a shot in the arm and the future of the industry and the rural communities that it serves could be secured with expenditure of a relatively small amount.

My plea is that the Government should get cash to the hills and uplands as fast as possible. The livestock industry is in trouble and deserves urgent action.

11.31 pm

Mr. Gerald Howarth (Cannock and Burntwood): Although I represent Cannock Chase in the heart of the midlands, which rises to an elevation of 800 ft, I do not claim today to speak on behalf of a constituency interest. I hope that the House will allow me this indulgence. As I come from a borders farming family and am the grandson of a borders farmer, over the past eight years I have had my ear bent by my family——

Mr. Nicholas Winterton: And by a close neighbour.

Mr. Howarth: Yes. It therefore did not seem inappropriate to raise these points. The Douglases have been the longest-serving tenants on the Duke of Roxburgh estate—I think that the hon. Member for East Lothian (Mr. Home Robertson) knows only too well what I mean—going back beyond 1700. When I go to the borders, I feel a sense of participating in a long and honourable tradition.

[Mr. Howarth]

As we all know, whatever constituency we represent, farmers have been having a tough time in recent years. Over the decades, they have been urged by us all, and particularly their political masters, to produce ever more food, to invest, to mechanise and to become more efficient, and they have done so with considerable effect. My hon. Friend the Member for Stafford (Mr. Cash) told us where the problem lies—not with the efficiency of the United Kingdom agricultural community but with our continental partners' desire to subsidise inefficient farming practices on the continent. I am sure that we all agree.

I requested my uncle's views and, writing to me shortly before Christmas, he said:

"Since 50 years ago we have been begged, pressed and, sometimes, forced to increase production and I suggest that no industry has done just that any better. We were also encouraged to borrow vast sums of money to enable us to do that, and many of us have done so. Suddenly about four years ago the country and Western Europe wakened up to the fact that most of what we'd been pressed to produce was not over-produced, with the result that we've been faced with colossal drops in prices, coupled with payments for interest on borrowed money at rates of interest far in excess of anything that could be foreseen when the money was borrowed."

My uncle adds that his Member of Parliament, the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), will be able to substantiate what he has written. I know that the hon. Gentleman will not be participating in the debate, but I am sure that he will acknowledge what my uncle wrote.

Mr. Nicholas Winterton: Does my hon. Friend agree that the British farmer has contributed to the surpluses to an extremely limited extent? Farmers in other countries in the Community have created the surpluses.

Mr. Howarth: I think that my hon. Friend is right, but I do not claim to be an expert on these matters.

It is to the Government's credit that they have sought to tackle the problem of excess production while representing to the best possible extent the interests of the British farmer. It has not been easy to combine those tasks.

We know that prices to farmers have fallen dramatically, while their costs have increased relentlessly. At the same time, farmers have become more efficient. The example of my own family is that, in 1928, two farms employed 10 people but today they employ only three. It is the farmer who undertakes most of the work on the farms. No one can accuse farmers of having been inefficient.

I am sure that the hon. Member for Roxburgh and Berwickshire will be aware that average stock prices at Hawick auction show that between 1989 and 1990 the price of black-faced warranted ewes fell by no less than £5—a 20 per cent. fall in one year. The price last year was lower than it was in 1984. That shows the difficulties that the farming community has been facing.

Difficulties have arisen because farmers have switched to lamb from beef. My hon. Friend the Minister knows only too well that beef has been more difficult to sell than lamb in the recent past, although I eat beef—and British beef to boot—and I understand that we in the midlands are eating beef once again.

I say to the House what I have said to my family face to face—that, when manufacturers find that there is no market for their products, they also find that there is no intervention fund to buy their surplus products. The result is that they go out of business. I am not suggesting that farmers should go out of business, but farmers are not alone in experiencing difficulties.

I understand that the rate for hill ewes has increased much more than that for upland ewes. I am told that upland ewes demand rather more tending than hill ewes. I shall be most grateful if my hon. Friend the Minister will respond to that observation.

There is a strong case for incentives to keep hill farmers on the hills. Farmers are best conservators in Britain, and rural communities add enormously to our heritage. Future generations will not forgive us if we allow ourselves to be steamrollered by inefficient continental farmers into operating a regime in the United Kingdom which has the effect of destroying important rural communities and the contribution that they have to make to our national life.

11.39 pm

Mr. John Home Robertston (East Lothian): That was a speech from an hon. Member who expects to have to return to the hills after the next general election. I, too, have the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) as my Member of Parliament. We all have crosses to bear in this life, and he is mine.

Before I go any further, I should perhaps declare an interest in a hill farm in the Lammermuirs. I also represent several hill farmers in the Lammermuir hills. I confirm what has been said by members of all parties who have taken part in the debate. Beyond any shadow of doubt, there is a crisis in the economy of the hill and upland areas throughout the United Kingdom

Mr. Alex Carlile: The hon. Gentleman should declare his interest.

Mr. Home Robertson: I have declared an interest. I am glad that the hon. and learned Member for Montgomery (Mr. Carlile) has caught my attention. I was fascinated when he suggested that the Liberal Democrats would extend hill livestock compensatory allowances to Huntingdonshire. I am not sure whether he knows what is the highest point in Huntingdonshire, but if his party thinks that it will win Huntingdonshire by promising hill livestock compensatory allowances to its farmers, they have problems. Perhaps the hon. and learned Member for Montgomery should contain himself just now.

There is a crisis in the economy of the hills and uplands. The Minister stands accused of a con trick. The Government say that they are increasing the allowances but, as the hon. Member for Macclesfield (Mr. Winterton) made abundantly clear, they are taking the money away with the other hand by applying the stocking rate restrictions. To make things worse, there has been a significant delay in making the payments. Delay in making payments to an industry which is facing such severe problems is bad news. It is a heavily indebted industry, and interest rates are high.

I wonder what proportion of the money will go straight to the banks when it is eventually paid. So many of the hill farmers are heavily indebted, and they will simply use the money to reduce their overdrafts. My hon. Friend the Member for South Shields (Dr. Clark) referred to the special problem in the Ribble valley area. Perhaps one way of overcoming the problem of the delay would be for the English National Farmers Union to bring forward its

annual general meeting and compel the Minister of Agriculture to come along and make his statement a little earlier. Perhaps farmers would get their money a little sooner. I offer that merely as a suggestion.

The allowances are just another chapter in a shameful history of neglect of rural Britain by the Government. As my hon. Friend the Member for Durham, North-West (Ms. Armstrong) said, rural communities throughout the United Kingdom are being affected. The Government's neglect of the industry is shameful. Every time that I take part in an agriculture debate, I remind the House and the farming industry that many farmers say that they always do better under a Labour Government. That has been true, and it will be true again shortly.

11.42 pm

Mr. Richard Livsey (Brecon and Radnor): I wish to make only a few points and to respond to the points made by the hon. Member for Macclesfield (Mr. Winterton) about stocking rates and the capping of the total amount of HLCA available at £62·48 and the other figures that he mentioned. There is no doubt that, in one sense, the Minister has misled us here this evening. He said that the amount had been fixed for environmental reasons, and that keeping the figure down would have a good environmental impact. The problem is that farmers are not being given an environmental payment in order to make up for that level of capping.

If the Minister is not prepared to increase the amount to the maximum of £77, he should compensate farmers for the difference between the two amounts, which by my arithmetic would be £15 per hectare, to conserve the environment. The Minister cannot have it both ways: by not allowing the £15 per hectare, he is creating an immense social problem in the uplands. My constituency is more akin to a continent than a constituency. It is 92 miles long. We have 16 ewes for every person in the constituency. We depend very much on our hill livestock compensatory payments. Yet farmers are being capped and are not being compensated for looking after the environment.

As we know, the upland farmers are the best conservationists in the country. The single sons of hill farmers in my constituency can no longer survive on the meagre pittance being provided. The recent figures from Aberystwyth in the farm management survey show that Welsh upland farms of 175 acres or less have an income of £2,000 a year, and farms of 175-plus acres have £4,000 a year. No one can live on such incomes. That is equal to a crisis.

The crisis is compounded by the fact that, in Wales in the last two years, farm incomes have dropped by 41 per cent.; they have nearly halved. The Secretary of State for Wales said in the Welsh Grand Committee last week that HLCAs amounted to £37 million. The drop of 41 per cent. in incomes equals £32 million. We are on the road to nowhere. We are on the road to depopulation, back to the 1920s and 1930s, with no young people left in the upland areas.

The Government must have a coherent policy. Of course we need to stay within the EC budget, but that is not the point. We need major reforms. We may have to scrap intervention and bring back deficiency payments to get the product on to the market, so that the consumer can buy it at a reduced price. We have to do something about half the budget that does not get to farmers. We must put more of that money back into farmers' pockets.

11.46 pm

Mr. Curry: Much passion has been raised in the debate. I understand that. I represent hill farmers myself and I share the concerns of Opposition Members and of my hon. Friends. None of us, I hope, will compete in our concern for upland farmers, both in their role as producers and in their role as guardians of the countryside. The difference is that we have responsibility for government. We also have to act within a budget. There is no way out of that; we cannot escape from it. The budget is laid down in the Community, and the House, in general terms, subscribes to it. We cannot get away from it by saying that we will pretend that disciplines do not exist. The Liberal Democrats want to keep multiplying the expenditure. Everything they said in the debate would result in a multiplication of agriculture expenditure.

The hon. Member for South Shields (Dr. Clark) said that the increase is inadequate. Everybody would like more, but we have to allocate the resources. In the early years to which he referred, the market delivered a reasonable livelihood because it was a time of rapid expansion, particularly in exports. Prices were buoyant. The point of the scheme is to compensate for the disadvantaged character of the neighbourhood. It is not designed specifically as a mechanism to compensate for shortfalls in the marketplace. It is different from a price support mechanism, which means that we have spent a fortune intervening on beef.

The hon. Gentleman knows why there has been a delay. We could not send the forms out earlier because we could not give the instructions and the guidance to go with them until we sorted out the problem about how the scheme would apply. I regret that. It was a nuisance. It has been a pain for everybody, but we had to face that difficulty. The hon. Gentleman was right to say that my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) paid advances. It was not a happy experience. One reason that we are not doing it again is that it was such a difficult experience. It took so long to complete the payments that some farmers were longer getting the total payment than they would have been if we had not paid advances.

I am intrigued by the hon. Gentleman's encounter with Mr. Dinsdale. When I am in that part of the world tomorrow, I shall try to find Mr. Dinsdale, because I am anxious to hear from him a more precise account of the conversation than the hon. Member for South Shields was willing to give. I want to know whether the hon. Gentleman told Mr. Dinsdale that he would pay more on the HLCAs as they stand. That is the question before us. Would he pay more as they stand—or was he going to present Mr. Dinsdale with a marvellous bran tub of environmental measures and invite him to plunge in his arm, the idea being that every farmer would come out with a prize labelled as an environmental payment?

It is easy to say that we should pay farmers to look after the environment. In my constituency and that of many hon. Members, it is difficult to see what else farmers could do in terms of good husbandry. We have already said that farmers look after the environment. If we were to pay farmers for what they are already doing, we should need to

[Mr. Curry]

define that payment precisely in terms of its budget and its objectives. We shall undertake that process, but it is no policy simply to say, "We shall not tell you whether you will get any more under existing policies; we shall invent something else that may or may not serve as a pretext to pay more."

My hon. Friend the Member for Macclesfield (Mr. Winterton) made a characteristic speech, and challenged me to give the full facts. To avoid being so accused again, let me make it absolutely clear that we have not increased the maximum amount payable per hectare—it is set at £62·48 in the severely disadvantaged areas and at £46·86 in the disadvantaged areas. We have held payments at those levels because, if we have limited resources, we choose not to give them to farmers stocking at the highest densities. I acknowledge that some farmers will not receive any increased payment. We will give resources to those who do not stock at the highest densities. That will increase commensurately the headage payments available to those farmers.

The hon. and learned Member for Montgomery (Mr. Carlile) must make up his mind about whether the Liberal Democrats will live within the budgetary framework of the Community.

Mr. Alex Carlile: Of course.

Mr. Curry: Well, the hon. and learned Gentleman did not answer that question. He said that his party would invent all sorts of super new policies. Here and now the budget has overrun and we are faced with proposals from Mr. MacSharry which we must tackle. On Monday, we must start to debate those proposals. I want to know whether we have the support of the Liberal Democrats for the budgetary guideline we issued. The majority of the House applauded that guideline. Those who did not said that it was inadequate. We had to bring agriculture expenditure under some sort of control——

Mr. Wallace: Will the Minister give way?

Mr. Curry: No, I gave way generously before.

We are all agreed that we had to have some type of budgetary discipline, but now it comes to the test are we to say, "Well, let's not bother for the moment"?

Mr. Wallace *rose*——

Mr. Curry: The hon. Gentleman has had his say. I deliberately limited my remarks to allow as many hon. Members as possible to speak.

Mr. Wallace: The Minister is afraid to give way.

Mr. Curry: Certainly not, but I shall not be goaded. The hon. Gentleman can sit and make gestures to his heart's content, but he will not influence me.

The Liberal Democrats have not answered the question about what they would do about the budgetary restraints which, whether we like them or not, exist.

My hon. Friend the Member for Stafford (Mr. Cash) mentioned some of the fundamental problems—the current surplus, the need to change the common agricultural policy and the MacSharry proposals. I deliberately refrained from embarking on those proposals as they are not the subject of the debate and we all had our say on them some time ago. If pressed, however, I can tell the House that our position on them has not changed. We do not find them acceptable, particularly as they do not take us towards the marketplace. Rather, they do the opposite. I do not believe that farmers want to be taken on a magical mystery tour that takes them further and further away from that marketplace. That is not the answer to the agriculture crisis.

We already have a surplus, which is hanging over the market. Many Opposition Members are willing to say how much agriculture policy costs the average family per week or per month. They claim that we must bring it under control, but at the same time they say that more money should be directed at farmers. One must make up one's mind what one wants in this world. We cannot have it both ways. We must tackle the problem.

Hon. Members want to know why the Government do not pay the maximum allowance permitted under the Community regulations. The answer is simple—money. If we were to pay at the maximum, we estimate that that would be equivalent to an extra £60 million of public expenditure. We do not believe that it would be justifiable to pay that in present circumstances. If the hon. Member for South Shields is saying that he would pay it, I am interested to clock up the expenditure to which he will commit his party. I am willing to add that to my running count of the pledges that have been made by at least half the members of the Labour party and give the information to the other Labour party members who say that they will exercise restraint in budgetary matters when their party comes to power, in that unlikely event.

I can answer precisely one question asked by the right hon. Member for Strangford (Mr. Taylor). In Northern Ireland it is hoped and intended that 85 per cent. will be paid by the end of April. That is the target figure for Northern Ireland and the Department officials are geared up to do that. We must not forget that there are 65,000 claimants and that there is much work to do. We must undertake the process properly. We cannot simply act and hope, afterwards, that we got it right because the possibilities for fraud and inaccuracy are too great.

We support farmers. We have shown that we support farmers. We have introduced a raft of measures in favour of farmers. The Government will not stand accused of failing them. The farmers do not believe that, and I commend the regulations to the House.

Question put and agreed to.

Resolved,

That the draft Hill Livestock (Compensatory Allowances) (Amendment) Regulations 1991, which were laid before this House on 13th February, be approved.

Oldchurch Hospital, Romford

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dorrell.]*

11.55 pm

Sir Michael Neubert (Romford): I have the great good fortune to raise for debate tonight the subject of Oldchurch hospital in my constituency. At a meeting of the Barking, Havering and Brentwood health authority tomorrow, a decision will be taken that could be critical for the hospital's future. The authority has proposed that, in the longer term, our district should be served by one general hospital on a single site at Harold Wood in the neighbouring constituency of Upminster. To his credit, my hon. Friend the Member for Upminster (Sir N. Bonsor), who unfortunately cannot be here tonight, is as opposed to the proposal as am I and my other Havering colleague, my hon. Friend the Member for Hornchurch (Mr. Squire) who, within the short time allowed, and subject to catching your eye, Madam Deputy Speaker, will contribute later.

The hon. Members for Barking (Ms. Richardson) and for Dagenham (Mr. Gould) are also very much opposed to the proposal, because large numbers of their constituents look to Oldchurch hospital for their medical treatment. Of the six hon. Members who represent the district, only my hon. Friend the Member for Brentwood and Ongar (Sir R. McCrindle) is other than categorical in his condemnation of the proposal. The majority of his constituents live closer to Harold Wood than to Oldchurch hospital.

It could be said that the proposal has few friends. During the consultation period, which expired at the end of January, the community health council, the London boroughs of Havering and of Barking and Dagenham, trade unions, doctors, patients, other organisations and members of the public have been loud in their disapproval.

The purpose of tonight's short debate is twofold: first, to bring home to the Minister, whose presence at this late hour is much appreciated, the strong feelings of people in the district on the proposal; secondly, to take a last opportunity, at the eleventh hour, to ensure that the health authority's decision tomorrow reflects the widespread opposition to the proposal. It would make a mockery of consultation were such a universal thumbs-down to be disregarded.

The reasons for the hostility of the public to the proposal are relatively straightforward. The Barking, Havering and Brentwood district is one of the largest in the country; from memory, I believe that it is the largest in London. It serves a population of 453,000 people. The Barking and Dagenham end of that district has an above average incidence of illness and a degree of social deprivation. In general terms, the population there has a high morbidity and a low mobility.

The combination of those two factors makes the prospect of people there having to go another four or five miles for hospital treatment unacceptable to them and to many others. Such a distance may seem insignificant to people who live in country areas, but in highly populated urban areas it surely makes sense to provide services that are as close as possible to the people. That certainly holds true when the densest population coincides with the greatest need.

In seeking the retention of Oldchurch hospital, I am not speaking only for my constituents. However, I strongly believe that services should be local. Excellence is not the only criterion; convenience and accessibility are also important, and the right balance must be struck. Contrived formulas and artificial weightings have been devised to lead to the conclusion that there should be only one general hospital on a single site in our district. That is being challenged by my hon. Friend the Member for Hornchurch (Mr. Squire) and me.

The North East Thames regional health authority intends by strategic decision to approve a new district general hospital just across the western boundary in the neighbouring district of Goodmayes. That seems to pre-empt the opinion of people in our area about the provision of local hospital services. That opinion can broadly be summed up by saying that they would like to retain Harold Wood and Oldchurch hospital.

Oldchurch hospital is a Victorian workhouse-type hospital, but it provides a wide range of services, including regional specialties, to my constituents and to many other people in the area. It has attracted dedicated, high-calibre specialists who have been able to benefit from the interdisciplinary contacts that are established at Oldchurch. Despite being under constant threat from two quarters, they have engaged in many innovative and imaginative ventures. It is surprising that the success and popularity of the hospital should be so consistently challenged.

The first threat is from the London teaching hospitals, which resent the pretensions of Oldchurch hospital and would like to have its patients to boost their depopulated clinics. The second threat is from regional administrators, who cannot accept what they see as inadequate buildings and a cramped location but would prefer a brand new extension development to modern standards on a green field site. However, that would be at the expense of convenience and accessibility. In spite of those threats, Oldchurch hospital has prospered.

As it is just past midnight, I can announce that it is 17 years ago today that I entered the House. [HON. MEMBERS: "Hear, hear."] It is ironic that much of my time here has been spent in fighting threats to this much-loved institution in my constituency. There have been two proposals to close the neurosurgical unit, and two proposals to close the radiotherapy unit. On each occasion, a campaign was mounted to save the units. Now it is proposed that the whole hospital be closed, and that is a matter for regret.

I have received very few complaints about the treatment of patients at Oldchurch or about the standards of medical treatment or nursing. On the contrary, the vast majority of the complaints that I receive concern the fact that people cannot get an appointment or treatment soon enough. One imagines that that situation would not be improved by the closure of the hospital. Our case is that the hospital should certainly be allowed to continue its present service to the people of the area.

It is astonishing that, despite all the threats, the hospital's spirit is undiminished, and its confidence in its own future unflagging. Oldchurch has expressed an interest in achieving the status of a self-governing trust, and the Secretary of State has given approval for the further preparation of its plans. We must hope that the future will lie in that direction. In the meantime, we face the proposal that the hospital be closed, and the services provided on a single site elsewhere. As I have explained, that is not acceptable, either to the majority of Members of this House or to the majority of people in my area.

[Sir Michael Neubert]

Our hope must be that the authority that runs hospital services in the area will take account of those views before making any decision. What the people in my constituency want is treatment of a good standard—not necessarily the very best—provided within a reasonable distance of their homes. Oldchurch hospital has provided such treatment in the past, and continues to do so, and any proposal that it should not be allowed to do so in the future will be vigorously and rightly resisted.

12.6 am

Mr. Robin Squire (Hornchurch): As in the past, my hon. Friend the Member for Romford (Sir M. Neubert) has presented a sterling and forthright case in defence of Oldchurch hospital. I know he will agree that it is sad that this is not the first time we have had to defend that excellent hospital, which so many local people support in the most practical way possible—by going there for operations and medical treatment. It seems to me that that is the single most telling and lasting tribute to the hospital. It is sad that, whatever the structure of the health service, we have from time to time to put to Ministers points in defence of the hospital.

My hon. Friend sketched the background very well, and I do not want to be repetitious. However, I should like, in the short time available, to stress the breadth of opposition to this proposal. I shall do so in no particular order. Let me kick off with extracts from a letter from Mr. MacLellan, a senior consultant orthopaedic surgeon at Oldchurch hospital, to the services planning manager of the health authority. I think that the extracts, short though they are, will give the flavour. Mr. MacLellan says:

"The comments that you have made confirm in my mind the clearly held impression that the statistics prepared in your document 'A Blueprint for Better Health Care' are an attempt to give scientific or pseudo-scientific validation for a completely bogus exercise in health care planning.

No objective data has been collected about mortality or morbidity related to the clinical services in Harold Wood or Oldchurch . . .

While there were representatives of both acute units at the meetings that gave rise to this document, these representatives were not briefed by individual departments within either hospital to speak on their behalf. No representatives of the trauma and orthopaedic service at Oldchurch were present, and since we carry the bulk of the trauma workload for the district it seems extraordinary that you believe yourself to be in any position to make judgments about quality of service at our site as compared with any of the other sites."

As that was written by a consultant at the hospital, it might be said to be predictable. As has been said in other contexts over the years, "He would say that, wouldn't he?" Nonetheless, it is worth recording.

I turn now the Barking and Havering family health service authority, which has taken the trouble to submit its own formal comments, such is its concern at the nature of the document. Again, my hon. Friend the Minister will be pleased to know that I intend to be brief. It states:

"No analysis of the need for secondary care services is provided. The document gives the appearance of a provider not needs led plan, concentrating reasons for change as it does on buildings and management problems. A needs based analysis might have significantly influenced the weighting in favour of a more accessible site in the district. The document did not include an analysis of the impact of the proposals on primary and community care. It is the FHSA opinion that these will be substantial."

Under the heading "Conclusion", the document states:

"The document does not provide information on developments in community support services that will be essential if the services are centralised irrespective of the site. A substantial development is needed to support the existing services. The FHSA is concerned by the lack of analysis of the impact on primary health care services. The planning of a new hospital provides major opportunities to consider the best mix of services that are needed to ensure optimum health of the population."

As it rightly says:

"This cannot be done by looking at the hospital services alone."

What we have is an isolated discussion document looking purely at the physical structures, without looking at the way in which health should logically develop over the next 10 years. It is worth highlighting the fact that both the major local authorities in the area—the London borough of Barking and Dagenham and the London borough of Havering—have produced documents setting out precisely why the document is a bad one. In particular, Havering stresses that, for many people in Havering, let alone in Barking and Dagenham, to site a hospital at Harold Wood at the eastern end of the district health authority can only provide major problems for many of the patients who would need to get there.

Word has reached me during the past couple of days of concern at Oldchurch hospital that there is to be a review by the district health authority of the acute units, and that a possible management restructuring is in the air which, if it proceeds—no consultation is required for that—would produce one overall unit amid great fears that Oldchurch and Rush Green hospitals would be run down, presumably for the general benefit of Harold Wood. That is not the way to proceed.

I ask the Minister not only to deal with our initial fears, but to consider carefully whether a telephone call tomorrow morning to the district health authority, to tell it to desist from this unnecessary, irrelevant and expensive exercise, would not save a considerable sum of money for the health authority.

12.12 am

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): My hon. Friends the Members for Romford (Sir M. Neubert) and for Hornchurch (Mr. Squire) are to be congratulated on raising this subject this evening on behalf of their constituents, and on delivering to the House a clear message that no one reading this debate could have any reason to misunderstand. It is no more than I would have expected from my hon. Friends, both of whom have been colleagues for a long time and co-campaigners in various campaigns.

My hon. Friend the Member for Romford was a senior, experienced and distinguished Whip when I first joined the Whips Office three and a half years ago. He used to have a notice by his desk which said, "This year Romford, next year the world," or words to that effect. This evening, he has given the House a demonstration of the effectiveness of his thinking on behalf of his constituents and of his campaign over 17 years to ensure that the importance of Oldchurch hospital in the health care of his constituents is understood by those who need to know.

I am grateful to my hon. Friend for raising the subject today, because not only has that allowed him to celebrate his 17 years in Parliament by continuing to campaign on behalf of his constituents; it has also allowed him to ensure

that the members of the health authority go to their meeting tomorrow with his words and those of our hon. Friend the Member for Hornchurch ringing in their ears.

They thought that the consultation process ended on 31 January, and this will come as a reminder of the views of my hon. Friends, both of whom have written to the health authority to express their views formally. Their speeches this evening should have served to dispel any remaining doubt in the minds of members of the health authority.

This evening's debate allows me to say that I am sorry that I was unable to fulfil the engagement that I had a few weeks ago in my hon. Friend's constituency, I think at the hospital. I hope that it will be possible to reinstate that. I have no doubt that if it is reinstated the message that my hon. Friends have brought to the House this evening will once again be reinforced.

My hon. Friend the Member for Hornchurch suggested that I could spend some time tomorrow morning on the telephone communicating further the messages of my hon. Friends and adding to it a message of my own that the health authority should not proceed tomorrow with the proposal that we are discussing. I hope that my hon. Friend will understand that I shall not be doing that, not because there are no circumstances in which I might find it in myself to agree with my hon. Friend but because—this is an important principle—the only good way to manage an organisation which employs a million people and absorbs £30 billion of public expenditure is through a management structure, within which we encourage management decisions to be taken as far down the line as is practicable.

We run a delegated system of management, and if that policy is to have real effect, it is important that managers are encouraged to make real decisions and to carry responsibility for them without feeling that their every decision is subject to Ministers looking over their shoulder and jogging their elbows. Therefore, I shall not be ringing the health authority tomorrow morning to communicate the message that my hon. Friends would understandably wish me to.

Nor am I in a position this evening to be able to make clear what the Government's attitude would be if in certain circumstances the proposal ended on a Minister's desk. I will explain briefly why that is. I have explained the importance that we attach to the system of delegated management: the result of that is that a decision of this nature ends up on a Minister's desk only if it has proved impossible for the different agencies within the health authority locally to reach agreement on how the proposal should proceed.

If, therefore, the health authority were to confirm its proposal to concentrate health care on the Harold Wood site, it would be for the CHC to decide whether it wished to lodge its firm opposition to that proposal. If the CHC were to take that course, the disagreement between the health authority and the CHC would go to the regional health authority for a further opinion. If the regional health authority were to support the district health authority but the CHC maintained its opposition to the united view of the regional and district authorities, the proposal would come to a Minister for a decision.

I am sure that my hon. Friends will understand that, if a Minister had to make a decision between the CHC proposal and the management proposal, he would want to do so without having a commitment given in the House hanging around his neck, making it impossible for him to approach the subject with an open mind, as he should.

I give my hon. Friends the clear undertaking that, if it proved impossible for the various agencies that I have described to reach a decision locally, I would go to considerable trouble to ensure that the responsible Minister fully understood the concerns of my hon. Friends' constituents as well as the arguments advanced by the health authority. Therefore, I am not able to describe precisely this evening how my right hon. Friend the Secretary of State would use his discretion if the proposal came before him for a decision.

I can comment on one or two of my hon. Friends' comments. My hon. Friend the Member for Romford was particularly concerned that the convenience and accessibility of health care is considered a relevant consideration and that the creation of ivory towers is not a sufficient argument by itself to support a particular policy. I give my hon. Friend an assurance that we agree. We run the health service for the benefit of its patients, not for that of its doctors—still less for the benefit of the academicians. Convenience and accessibility are important factors in deciding the pattern of health care in any locality.

My hon. Friend stressed the dangers that are attached to grandiose ambitions, as opposed to the more humdrum development of health care in a particular locality. It is one of the sins of traditional health service management that it has regarded capital as a free good. It is to address the problem of excessively grandiose schemes not firmly based in local needs that we are introducing from 1 April the principle of capital charging, which will ensure that any addition to the capital stock of a particular district is recognised to be the cost that it is, so that any authority planning to absorb more capital in the provision of health care will take account of the capital, as well as revenue cost, that it incurs from its investment decisions. I hope that will reduce the attractiveness of highly capital-intensive solutions to particular local problems.

My hon. Friend the Member for Hornchurch stressed the importance that he attaches to a firmly based local assessment of health needs in planning for the future. He quoted in support the views of the local FHSA. Again, not only do I agree, but that is one of the basic propositions on which the Government's reforms from 1 April are founded. My hon. Friends should need no reassurance from me, because the definition of local health need and the use of the contracting system to design a pattern of provision that will meet identified local health needs is written into the statute for which all three of us voted last year. Those are the criteria that management will increasingly use in their areas.

I will enter a caveat by way of balance, and stress that, as we think about the development of provision over the health service as a whole, we must acknowledge that a constant factor is the declining need for acute beds. Modern medicine allows us to treat more patients, more quickly, with fewer acute beds. Merely because traditional medicine needed 500 or 600 beds in a particular locality, that does not mean that, in the next 10 years, we shall continue to need the same level of acute bed provision. Many conditions that once required three weeks' hospital stay can now be treated either on a day case basis, or without the need for surgery or hospitalisation at all. That

[Mr. Stephen Dorrell]

must be borne in mind, particularly when considering major capital investment that will commit the health service to capital costs for a generation ahead.

Another factor that makes more complex the situation in which my hon. Friends' constituents find themselves is that both Old Church and Harold Wood hospitals are preparing applications for trust status. They are expected by the end of April, and I should emphasise that nothing that is happening as a result of the consultation process launched by the district health authority can limit the discretion of my right hon. Friend the Secretary of State to accept either or both those applications or——

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-five minutes past Twelve o'clock.

House of Commons

Thursday 28 February 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

CARDIFF BAY BARRAGE BILL *[Lords] (By Order)*

Order for further consideration, as amended, read.

To be further considered on Thursday 7 March.

MIDLAND METRO BILL *(By Order)*

Order read for resuming adjourned debate on Question [21 February], That the Bill, as amended, be now considered.

Debate further adjourned till Thursday 7 March.

LONDON UNDERGROUND (No. 2) BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Tuesday 5 March.

Mr. Speaker: As the next 12 Bills have blocking motions, I shall put them together.

CATTEWATER RECLAMATION BILL *(By Order)*

HOOK ISLAND (POOLE BAY) BILL *(By Order)*

LONDON DOCKLANDS RAILWAY (LEWISHAM, ETC.) BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *(By Order)*

BIRMINGHAM CITY COUNCIL BILL *(By Order)*

BRITISH RAILWAYS BILL *(By Order)*

EAST COAST MAIN LINE (SAFETY) BILL *(By Order)*

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *(By Order)*

LONDON UNDERGROUND (KING'S CROSS) BILL *(By Order)*

MIDLAND METRO (No. 2) BILL *(By Order)*

REDBRIDGE LONDON BOROUGH COUNCIL BILL *(By Order)*

BRITISH RAILWAYS (No. 3) BILL *[Lords] (By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 7 March.

Oral Answers to Questions

NATIONAL FINANCE

Private Borrowing

1. **Mr. Wareing:** To ask the Chancellor of the Exchequer what effect changes in private borrowing have had on the economy during the past five years.

The Chief Secretary to the Treasury (Mr. David Mellor): A number, including notably a means between 1986 and 1989 for companies to finance a 43 per cent. increase in investment—the fastest growth in investment since the war.

Mr. Wareing: Is not the Minister being rather complacent? Is not it true that net personal savings as a percentage of disposable income, which is an important barometer, have fallen from 13 per cent. in 1979 to 5 per cent. last year and that that is reflected in the outstanding consumer credit of £50 billion, much of which has been expended on manufactured goods that were imported by this country because of the inadequacy of British manufacturing industry under the Tory Government to furnish that demand?

Mr. Mellor: It is certainly true that there was a fall in the savings ratio, but we must consider the rates of inflation that prevailed in those two years. The savings ratio for first three quarters of 1990 was back to 8·8 per cent. and is on a rising trend. With regard to credit and demand, the hon. Gentleman failed to take account of the fact that household credit is overwhelmingly for mortgages. He also failed to give us credit for a crucial development: although between 1974 and 1979 consumption rose at seven times the rate of investment, between 1981 and 1989, investment rose at double the rate of consumption, therefore financing plenty more local production for demand to go into.

Mr. Budgen: Does my right hon. and learned Friend agree that when the savings ratio is running at about 5 per cent., it is a clear sign of an excessive boom, such as occurred between 1986 and 1988, but when it is running at 8·8 per cent., as it is now, that is a clear sign that domestic and national indicators point towards a further cut in interest rates?

Mr. Mellor: I thought for a moment that my hon. Friend was going to ask me a question with which I could wholeheartedly agree, but he spoilt the effect somewhat towards the end of his comments. He is aware of our policy and he knows that we will bring down interest rates when it is compatible with our position within the ERM band and when other circumstances permit.

Savings

2. **Mr. Waller:** To ask the Chancellor of the Exchequer what assessment he has made of the success of TESSAs.

The Minister of State, Treasury (Mrs. Gillian Shephard): TESSA has got off to an excellent start. The scheme is playing an important part in restoring the habit of saving.

Mr. Waller: Does my hon. Friend agree that any improvement in the underlying savings ratio, which has been relatively low in this country, has beneficial effects on the economy? In view of the success of TESSAs, will my hon. Friend and her colleagues consider similar stimuli for this year and in the future generally?

Mrs. Shephard: My hon. Friend is right. There has been a very good improvement in the savings ratio, which is now back up to 8·8 per cent. That has been encouraged by the number of developments in savings schemes introduced by the Government. As for my hon. Friend's further request, I remind him that I can give no idea of what might be in the mind of my right hon. Friend the Chancellor of the Exchequer on 19 March.

Mr. Timothy Congdon

3. **Mr. Campbell-Savours:** To ask the Chancellor of the Exchequer what representations he has received on the level of interest rates and the value of the pound from Mr. Timothy Congdon over the last few weeks.

The Chancellor of the Exchequer (Mr. Norman Lamont): None, Sir.

Mr. Campbell-Savours: Is not the leaking of information about Government policy by a Bank of England official to a bank in the City an offence and should not the use of such information by a bank become an offence under insider trading legislation?

Mr. Lamont: I should like to consider the hon. Gentleman's last point. The answer to his first point is, obviously, yes. However, I am afraid that I can give the hon. Gentleman no further answer in addition to what I have already told him in a written answer. If the hon. Gentleman has any evidence or information that he wishes to place before me or the relevant authorities, I am sure that he will do so——

Mr. Campbell-Savours: I am asking about the law.

Mr. Lamont: I have answered the hon. Gentleman's specific question.

Sir Peter Hordern: Why should my right hon. Friend pay any more attention to Mr. Timothy Congdon's views than to those of the 364 economists who wrote a letter to *The Times* in 1981 and got it wrong then?

Mr. Lamont: I hesitate to divulge it to my hon. Friend, but some of the Liverpool six are quite well known to me. I have had discussions with some of them from time to time. They may not be family friends, but I know that they are not always correct.

Mr. Beith: Has the Chancellor noticed the strange alliance between the Liverpool six, the family friends, some of his own Back-Benchers and members of the Labour party in support of the proposition that it does not matter if a substantial cut in interest rates is followed by a devaluation? Does he agree that the last thing that this country needs is a reputation for devaluing its way out of trouble and that what is really needed is an anti-inflationary policy that would provide the credibility that would make interest rate cuts possible?

Mr. Lamont: I agree with the hon. Gentleman. It is no answer to the problem of inflation or interest rates to say that we must devalue the currency to equate with our costs. The real answer is to make our costs equate with the currency and that is what we are doing.

Mr. Ian Stewart: I congratulate my right hon. Friend on the way in which he has absolutely refused to entertain any devaluation of the pound now that it has joined the exchange rate mechanism. Does he agree that even to entertain such a move would undermine the framework of the anti-inflationary policy that he has adopted and that, over time, it would make it more difficult to bring about the necessary reductions in interest rates than would adhering to the framework of the ERM?

Mr. Lamont: I agree entirely with my right hon. Friend. I have set out our precise policy on interest rates to the House on several occasions. I am not going to take any risks with either interest rates or inflation, which must remain the main objective of our policy. We have too high a rate of inflation vis-à-vis our European competitors and I am determined that we should get it down, and quickly. I hope that my hon. Friends will not have exaggerated ideas about interest rates that may or may not be possible.

Interest Rates

4. **Mrs. Heal:** To ask the Chancellor of the Exchequer how many letters he has received from small businesses about the high level of interest rates.

The Economic Secretary to the Treasury (Mr. John Maples): My right hon. Friend has received a number of such letters.

Mrs. Heal: Despite the Conservative party's claim to be the party of small businesses, in the west midlands region business failures have increased by 36 per cent. and in Mid-Staffordshire many small businesses have either failed or are struggling to survive. For them, yesterday's announcement of a 0·5 per cent. cut in interest rates is welcome, but a mere drop in the ocean. When will the Minister announce even further cuts in interest rates and end the slow torture of small business men?

Mr. Maples: Once again, a representative of the Labour party is willing to play fast and loose with devaluation and inflation——

Mr. John Smith: That is not true.

Mr. Maples: It is what the hon. Lady said.

The fact is that there is still a substantial net increase in the number of new small businesses. In 1989, 87,000 more businesses were registered for VAT than left the register and in 1990, 50,000 more businesses registered than left the register. The failure rate is under 1½ per cent., whereas for the period 1983 to 1986 it was over 1½ per cent.

Sir William Clark: Does my hon. Friend agree that it is much better to reduce the base interest rate cautiously and thus avoid a fall in sterling which might mean that the rate would have to increase again? Is not it much better to reduce interest rates cautiously so that we can sustain a permanent reduction in the base rate?

Mr. Maples: My right hon. Friend is right. The purpose of our policy is to bear down on inflation. It would be completely counter-productive to take any risks with inflation.

Mrs. Beckett: Does the Minister recognise that the complacency of his reply will be a shock to small and large businesses alike? Is he aware of not only the "Trade Indemnity" results from last year, which showed a 77 per cent. increase in business failures in 1990, but the forecast of a further 25 per cent. increase in business failures in 1991? Is not that an indictment of the Government's handling of the economy?

Mr. Maples: Of course, it is sad when any business goes out of action. I merely sought to point out that the figures were not out of line with those for the mid-1980s. I do not remember the hon. Lady or any of her hon. Friends at that time making the point that she made today. We have noticed that her party is prepared to spend, borrow and cut interest rates on a reckless scale which would play fast and loose with inflation.

Mr. John Townend: Does my hon. Friend accept that many small businesses that were created in the enterprise culture of Thatcherism are suffering considerable pain as a result of interest rates—despite the recent welcome reductions—and a loss of demand? Will he persuade the Chancellor of the Exchequer to ease the pressure in his Budget by concentrating any tax reductions on the business sector and in particular to consider making the first £5,000 of retained tax profit of a small business tax free?

Mr. Maples: I am sure that my right hon. Friend the Chancellor heard my hon. Friend's Budget representation.

Pools Betting Tax

5. **Mr. McAllion:** To ask the Chancellor of the Exchequer what has been the revenue cost to date of the reduction of pools betting tax from 42·5 to 40 per cent.

Mrs. Gillian Shephard: The revenue cost to the end of January 1991 was £15·25 million.

Mr. McAllion: The Minister will know that the reduction in betting taxes is for a period of five years, to coincide with the time scale within which clubs must comply with the Taylor recommendations. As the Government have agreed with the football associations in Scotland that smaller and significantly less wealthy clubs in the lower divisions may have 10 years within which to comply with Taylor, will she consider extending the time scale for reducing betting taxes so that money will be available to the Football Trust to help smaller clubs beyond the current five-year cut-off period?

Mrs. Shephard: The hon. Gentleman has a considerable interest in this matter. The ability of the smaller league clubs, not only in Scotland but in England and Wales, to meet the August 1999 deadline for all-seater stadia would, of course, be considerably strengthened if my right hon. Friend the Chancellor of the Exchequer extended the cut in pools betting duty, as the hon. Gentleman suggests. My right hon. Friend has said that he will be prepared to take an early decision on the matter as soon as it is clear that football is contributing on a significant scale out of its own resources to the work that needs to be done. The sooner that that commitment is made, the sooner my right hon. Friend will be able to take a decision. There is some progress, but any encouragement that the hon. Gentleman could give in Scotland and elsewhere would bring forward the date of that review.

Dr. Marek: May I partly thank the Minister for her reply, which shows that not everything ahead of us is as dark as night? Will she admit that some of the third and fourth division clubs simply cannot go ahead with safety improvements to their grounds and desperately look to the Government to provide not only an incentive but a little more so that the safety of grounds can be assured? Will she assure the House that the scheme will be prolonged to ensure that every football league ground is safe by 1999?

Mrs. Shephard: The hon. Gentleman should know that the Government help that has been promised is a generous response to the Taylor report. They will provide an initial £100 million over a period of five years for capital works to make football stadia safer. I repeat to the hon. Gentleman that the game must demonstrate its commitment to match the Government's response before my right hon. Friend can review the position.

Share Ownership

6. **Mr. Gregory:** To ask the Chancellor of the Exchequer if he will make a statement on his policy on promoting share ownership.

Mr. Maples: The Government are committed to achieving wider and deeper share ownership. Very significant progress has been made thanks to the success of Government initiatives.

Mr. Gregory: Does my hon. Friend agree that wider share ownership schemes have resulted in an increase in the number of share owners from 3 million in 1979, under Labour, to 11 million currently, and will he confirm that he wishes to extend that still further? Will he consider the possibility of companies being able to extend the range so that employees can participate as they have in Yorkshire in British Telecom, British Airways, Northern Electricity and other such companies?

Mr. Maples: My hon. Friend is a long-time proponent of wider share ownership and his figures are right. The number of individual shareholders in Britain has risen from 7 per cent. 12 years ago to nearly a quarter—some 24 per cent.—of the population now. The Government have introduced a variety of employee share ownership schemes as a result of which about 2¼ million employees have benefited from about £6½ billion worth of shares and options over that period. But we shall certainly look at those schemes to see whether there are any ways of improving them.

Mr. Cryer: Is not the best form of share ownership for the nation as a whole to own a service instead of selling it off to a clique of friends of the Tory party, many of whom have contributed to Tory party funds? Is not the Minister ashamed of the way in which, for example, water services owned by the nation have been sold off, have increased their prices and, like other sold-off services, have produced a shoddier service for the people?

Mr. Maples: There we have the true voice of the Labour party. Only three days ago the Leader of the Opposition and the shadow Secretary of State for Trade and Industry made speeches trying to camouflage the sort of sentiment

that the hon. Member for Bradford, South (Mr. Cryer) has just expressed and trying to pretend that their industrial policy had been dragged into the 21st century. We find that yet again they are in favour of nationalisation, with industries to be run by unions and subsidised by the taxpayer.

Mr. Colvin: Does my hon. Friend recall that in the 1974 Labour party manifesto, Labour pledged to bring about a fundamental shift of wealth in favour of working people and their families? Is not it a fact——

Mr. Speaker: Order. This is about share ownership.

Mr. Colvin: Does my hon. Friend agree that Conservative policies encouraging wider share ownership and home ownership have honoured that pledge?

Mr. Maples: My hon. Friend is right. We believe that if people own their own homes and have stakes in the companies in which they work, they have the sort of interest in the success of the economy that we want them to have and from which they will benefit.

Growth

7. **Mr. Radice:** To ask the Chancellor of the Exchequer what are the latest OECD forecasts for growth in the United Kingdom and Germany in 1991.

Mr. Mellor: The OECD, in its December "Economic Outlook", forecasts GDP growth of 0·7 per cent. for the United Kingdom and GNP growth of 3·0 per cent. for West Germany. No figures are available for the united Germany.

Mr. Radice: Does the Minister agree that those official OECD figures, which probably underestimate the fall in British output, show clearly that the British problem is home grown and is caused by two years or more of very high interest rates?

Mr. Mellor: I appreciate the seductive quality of that argument for the hon. Gentleman, but, unfortunately, it is not true. A number of countries—the United States, Canada, Australia and Sweden—are in recession and in France GDP fell in the last quarter. So the hon. Gentleman is not paddling the right canoe.

Mr. Ian Bruce: Does my right hon. and learned Friend agree that Germany's one advantage is that it has a population who believe in low inflation and that when wage demands are made by trade unions, they talk about paying for increases by greater productivity? Does he further agree that if we could follow their example—keeping inflation low and having wage demands met by productivity—we, too, could achieve continued growth without high inflation?

Mr. Mellor: My hon. Friend is right. Indeed, we have proved it to be so. Between 1980 and 1990, the United Kingdom economy, by learning those lessons, grew faster than that of West Germany, whereas when the Labour party was in power we were bottom of the European growth league.

Mr. John Smith: Can the Chief Secretary explain why, after 11 years of Conservative rule, the United Kingdom is the only country in the European Community to be in recession by having a fall in GDP for two quarters and is the only country in the EC to be cutting investment in the manufacturing sector?

Mr. Mellor: The right hon. and learned Gentleman knows that there have been falls in productivity, output and production in a number of European countries. He also knows that the 1980s was a decade of unparalleled success for the United Kingdom economy. With the greatest respect to the right hon. and learned Gentleman, he could not have said that about the previous decade when he was a Cabinet Minister.

Mr. John Marshall: Does my right hon. and learned Friend agree that one year's forecast is not a totally accurate guide to the health of an economy, but that a decade is a much better guide to the success of economic policies? In the 1980s our economy thrived, unlike many in the European Community.

Mr. Mellor: That is exactly right. We were at or near the top of most of the economic indicator leagues in the Community, whereas under the Labour Government our economy was at the bottom of those leagues. The Opposition keep on talking the British economy down, but we have confidence in it.

Inflation

8. **Mr. Bell:** To ask the Chancellor of the Exchequer what is his forecast for the rate of inflation for October 1991.

Mr. Norman Lamont: The autumn statement forecast is for a sharp fall in all-items RPI inflation to 5½ per cent. by the fourth quarter of this year. I will publish a new forecast with the Budget.

Mr. Bell: I thank the Chancellor of the Exchequer for that forecast. The Chief Secretary to the Treasury spoke about the "unparalleled success" of the economy. Does the Chancellor recall a statement by the Prime Minister on 24 April 1988 that what was unique about the recovery in the 1980s was that there was sustained growth without the resurgence of inflation? At the time of that statement inflation was 3·9 per cent. Now there are record house repossessions, record business failures and record unemployment. Who will take the blame for this sad and sorry situation—the Chancellor of the Exchequer or the Prime Minister?

Mr. Lamont: Like the right hon. and learned Member for Monklands, East (Mr. Smith), the hon. Gentleman ignores all the good things that happened in the 1980s and focuses on one statement in one year. He ignores the fact that throughout the 1980s employment in the United Kingdom grew faster than in most other European countries and that we had lower unemployment than in Europe. He also ignores the fact that in the 1980s output in Britain was higher than that in France or Germany and that business investment grew faster than in any of the G7 countries except Japan. Those factors show that the 1980s were years of considerable economic achievement.

Mr. Burns: Will my right hon. Friend contrast that forecast with an annual rate of inflation in August 1975 of 26·9 per cent? May I take it that as inflation continues to fall and when it is economically prudent interest rates will continue to fall, too?

Mr. Lamont: As I have already emphasised, we can cut interest rates only as and when it is prudent to do so. My hon. Friend is right on his first point. The speeches by the right hon. and learned Member for Monklands, East, (Mr. Smith), if they are anything to go by, and his public spending plans and attitude to interest rates in 1987 and 1988 show all too clearly that Labour would again spark off a great inflationary cycle.

Mr. John D. Taylor: It is encouraging to hear the Chancellor of the Exchequer suggest that the inflation rate will fall to 5·5 per cent. in October. Is that an appropriate rate of inflation for a general election?

Mr. Lamont: Fortunately, that is not within my departmental responsibility. I repeated the forecast contained in the previous autumn statement and I said that another forecast would be issued at the time of the Budget.

Mr. Simon Coombs: Does my right hon. Friend agree that Labour policies would be likely to drive inflation up to the levels mentioned by my hon. Friend the Member for Chelmsford (Mr. Burns)? Will he confirm that it remains Government policy to achieve long-term zero inflation?

Mr. Lamont: It does not look as though France, Germany or Japan are about to achieve zero inflation. Our first objective must be a sharp reduction in inflation to bring it down to the level of that of our competitors. We are absolutely on track to do that and will not be blown off course in our objective.

Mr. Nicholas Brown: Two of the major factors in stoking up inflation in recent months have been public utility price rises in the run-up to privatisation and its aftermath and, of course, the poll tax. I do not know whether Finance Ministers ever get nicknames such as Stormin' Norman, in the same way as military leaders do, but it would be nice if the Chancellor would tell us his plans to bear down on those two elements of inflation.

Mr. Lamont: The Government's intentions on the community charge, as my right hon. Friend the Secretary of State for the Environment said, will be announced to the House in due course.

I do not agree with the hon. Gentleman's first point. Utility prices in recent years have underperformed inflation in many spheres. The real causes and origins of our inflation go back to 1987-88 when, with hindsight, our interest rates were too low.

Interest Rates

10. **Mrs. Maureen Hicks:** To ask the Chancellor of the Exchequer what is the current bank base rate.

13. **Mr. Ashton:** To ask the Chancellor of the Exchequer if he will make a statement on the present level of interest rates.

Mr. Maples: Bank base rates are 13 per cent.

Mrs. Hicks: Surely an encouraging combination of good news for business in the west midlands is the reduction in interest rates yesterday and the Gulf victory today. However, in defence of businesses in my constituency, does my hon. Friend agree that we still have a long way to go and that businesses need, above all, to plan for stability, confident in the knowledge that there will be further interest rate cuts as soon as possible and that we shall, in the process, conquer inflation?

Mr. Maples: I hear what my hon. Friend says. In the mid-1980s, investment by those businesses grew at a record rate, and the growth in the economy that resulted could not be sustained. I am afraid that one of the unfortunate facts of life is that those moves must be followed by a slow-down and it is necessary to keep interest rates high in order to bear down on inflation. We shall continue to pursue interest rate policies that are consistent with maintaining our position in the ERM.

Mr. Leighton: Did not the high interest rates show what a blunder it was to have joined the exchange rate mechanism, because interest rates can now no longer respond to the obvious needs of the domestic economy but must be used to prop up an uncompetitive and overvalued exchange rate, which will push the country further into recession and cause, in the coming months, an explosion of unemployment?

Mr. Maples: I sometimes wonder whether Opposition Members write such questions weeks in advance of Question Time. We have been able to reduce interest rates by 2 per cent. since we joined the ERM. The inflation-adjusted exchange rate of the pound against ERM currencies over the past 10 to 20 years shows that the rate at which we entered the ERM is close to the average inflation-adjusted rate over that period. The pound is not uncompetitive against the deutschmark. If it were, how could exports to Germany have risen by 17½ per cent. last year?

Manufactured Goods

11. **Dr. Michael Clark:** To ask the Chancellor of the Exchequer what is the latest trend in the balance of trade in manufactured goods.

Mr. Norman Lamont: The deficit in the United Kingdom's trade in manufactures is clearly on a downward trend. In the three months to January 1991, the deficit was £1½ billion, or 1 per cent. of GDP, compared with a peak deficit of £4¾ billion, or 3¾ per cent. of GDP, in the third quarter of 1989.

Dr. Clark: Does my right hon. Friend agree that those figures show a significant improvement and are part of an encouraging trend? Is not that because of the underlying strength of manufacturing industry which, during the lifetime of the Government, has improved productivity, the quality of goods and delivery times? Would not it be more appropriate to cheer on those companies that sell abroad rather than disparage them, as the Opposition do?

Mr. Lamont: I entirely agree with my hon. Friend. There has been an encouraging trend in manufactured exports. As my hon. Friend knows, our share of world trade in manufactures has been broadly stable in the past few years and increased last year. We expected a further increase. Certain sectors have dramatically increased their exports, particularly the motor industry, which increased exports by 50 per cent. That is a remarkable achievement.

Mr. Robert Sheldon: Is it not clear that, as anyone who knows what is happening in the manufacturing industry, let alone the high street, will confirm, firms are all busy

reducing their stocks and that, as they do so, one might have expected a dramatic decline in imports of manufactured goods and imports generally? The fact that that has not happened to anything like the extent expected is a serious matter to which the Chancellor should address himself minutely.

Mr. Lamont: I agree with the right hon. Gentleman that the behaviour and control of stocks is extremely important. The control of stock levels in British industry is one of the many ways in which British management and industry have improved dramatically in the past decade. The real fall in imports shows that the sharp move into a profound deficit in the current account was the product of excess demand in 1987 and 1988.

Mr. Nicholas Winterton: Does my right hon. Friend accept that the strength of manufacturing industry is a good sign of the strength of a country's economy? Does he accept that our manufacturing base is far too small, is continuing to decline, and that unless it is regenerated, the prospects of prosperity and a sound economic future for this country are grim?

Mr. Lamont: I agree with some parts of my hon. Friend's question—manufacturing is an extremely important part of the economy, although not the only one. It is important for our external trade, which is why the Government are keen to encourage it.

Mr. John Smith: Does not the Chancellor of the Exchequer think that it is alarming that the Government predict a fall of 7 per cent. in manufacturing investment this year?

Mr. Lamont: The right hon. and learned Gentleman should recognise that there has been an increased boom in recent years in this country, and investment is at a high level. Business investment in this country has improved dramatically—by more than 40 per cent. in the past few years. It is not surprising that when the economy slows down, investment falls from its former high level.

Business Taxation

12. **Mr. John Greenway:** To ask the Chancellor of the Exchequer what representations he has received on the taxation of businesses.

Mrs. Gillian Shephard: I have received a large number of such representations.

Mr. Greenway: While recognising that high rates, which are essential for the defeat of inflation, are causing difficulties for British business, does not my hon. Friend agree that businesses can also be helped by fiscal policy? Has she seen the Budget submission by the Institute of Directors calling for a further reduction in corporation tax as a means of promoting recovery and stimulating investment, including much of the inward investment that is placing the country in such good stead?

Mrs. Shephard: I have seen the representations from the IOD, which will be considered by my right hon. Friend in the run-up to the Budget. I feel sure that the IOD will have welcomed yesterday's interest rate cuts. However, I remind the institute and my hon. Friend the Member for Ryedale (Mr. Greenway) that the Government have a good record on reducing taxation for businesses. Corporation tax was reduced from 52 to 35 per cent.—one of the lowest rates in the industrialised world. We have the most favourable corporation tax regime for small businesses in the EC.

Mr. Battle: Is the Minister aware that, overshadowed by the poll tax, the uniform business rate is hammering business into the ground and into the red as the bills come in? That tax was directly imposed by central Government, not local government, and the Government are responsible for its imposition and collection.

Mrs. Shephard: Over the past 10 years, rate poundages rose by 37 per cent. more than rises in the retail prices index, mostly due to the irresponsible rate rises imposed by Labour-controlled councils. Now, increases are limited to the RPI, which means they are more predictable and help business to plan. As a whole, business will be paying £1 billion less in 1991 than they would have done under the old system, which has to be good news.

Interest Rates

14. **Mr. Beaumont-Dark:** To ask the Chancellor of the Exchequer if he will state the medium-term interest rates in the United Kingdom, Germany, the United States of America and Japan.

Mr. Norman Lamont: At close on 27 February, five-year Government bond yields were 10·1 per cent. in the United Kingdom, 8·5 per cent. in Germany, 7·6 per cent. in the United States and 6·4 per cent. in Japan.

Mr. Beaumont-Dark: Does my right hon. Friend accept that, because of the cost of the reunification of Germany, which is costing hundreds of billions of deutschmarks more than the Germans said it would, and the fact that Germany will not allow inflation, German interest rates, which affect us all, are about 2 per cent. higher than they would have been without the reunification costs? May there not come a time when—so that our interest rates can come down—Germany should go in for a system of realignment of its deutschmark rate, not just against the United Kingdom currency, but against Europe's currencies so that fairness prevails and we have proper and sensible lower interest rates, as we would have had without reunification?

Mr. Lamont: I am sure that my hon. Friend will understand that I cannot comment specifically on the realignment of the deutschmark. It is true that the reunification of Germany has imposed considerable costs on the German economy. It has pushed up interest rates and inflation and has also led the German Government to increase taxes. As my hon. Friend said, that has immense implications for monetary policy in all European countries.

Mr. Chris Smith: How on earth can British business and British industry compete in an increasingly challenging world when they face interest rates that are substantially higher than those of our major competitors? When will the Government realise that placing such exclusive reliance on high interest rates to control demand may control demand eventually, but it may also cause severe harm to the supply side of the economy?

Mr. Lamont: British business men will not be able to compete unless we have a level of inflation that is competitive with that of Germany, the United States and

Japan. Inflation matters much more for competitiveness than interest rates alone and, as is often pointed out, a 1 per cent. reduction in interest rates is of less significance to business than a 1 per cent. reduction in labour costs. There are many things within the control of businesses, but the key must be to get inflation down.

Sir Ian Lloyd: The Chancellor will know better than most that there is a constant search for the explanation of differences in comparative economic performance. What significance does he attach to the fact that last year, for the first time ever I believe, expenditure on research and development in Japan exceeded investment in new plant?

Mr. Lamont: I am not familiar with the figures cited by my hon. Friend, but it is true that high industrial expenditure—high expenditure in relation to turnover by firms—is a vital ingredient of economic success. That has been a feature of the Japanese economy for many years.

North Sea Oil

17. **Mr. Roy Hughes:** To ask the Chancellor of the Exchequer what is the cumulative total of all taxes from North sea oil since 1979 in 1989-90 prices.

Mrs. Gillian Shephard: The total over the period since 1979-80 is estimated at around £94 billion.

Mr. Hughes: Since Britain is back in recession and facing a huge trade deficit, since our industrial training is poor by any standards and since investment in manufacturing is declining yet again, does not it appear that North sea oil revenues have been largely squandered? Is not that a major indictment of the Government after nearly 12 years in office?

Mrs. Shephard: It is extraordinary that Opposition Members continue to knock British achievements. North sea oil revenues have contributed to the reduction of overseas debt and of the public sector borrowing requirement as a share of the gross domestic product, thus freeing resources for private investment. Our net overseas assets rose from £12¼ billion at the end of 1978 to £112 billion at the end of 1989. That is the highest proportion of all major countries as a percentage of GDP and it is no mean achievement.

Inflation

19. **Mr. Burns:** To ask the Chancellor of the Exchequer what is the latest forecast for the year-on-year rate of inflation at the end of 1991.

Mrs. Gillian Shephard: The autumn statement forecast is for a sharp fall in all items on the retail prices index. Inflation should fall to 5½ per cent. by the fourth quarter of this year. Most outside commentators currently predict lower inflation than that. My right hon. Friend will publish a new forecast with the Budget.

Mr. Burns: I am grateful to my hon. Friend for that answer. Has she read the speech by the president of the Confederation of British Industry who suggested that employers have a role to play in helping the battle against inflation by keeping down average wages? Will my hon. Friend impress on employers the need in the battle against inflation to keep down average wages throughout the economy?

Mrs. Shephard: My hon. Friend is absolutely right. I am glad that the message is also being conveyed by the CBI. It is essential that wages be kept down as part of the continuing battle against inflation.

PRIME MINISTER

Engagements

Q1. **Mr. Robert Hicks:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister (Mr. John Major): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Hicks: I am sure that the whole House will wish to pay tribute to those who have been involved in the successful liberation of Kuwait and especially to our own armed forces whose courage, professionalism and inspiration have been an example to us all. We offer our deepest sympathy and gratitude to the families who have lost their loved ones.

Does my right hon. Friend agree that very real problems still exist in that part of the world and that it is incumbent on all nations, through the United Nations, to ensure that a middle east peace conference is established at which all the issues, including Israel, the Palestinians and the rest, can be discussed? Does he agree that we should give every encouragement to the Arab nations to formulate their own security arrangements for the future?

The Prime Minister: I am grateful to my hon. Friend. I shall, of course, be making a full statement on those matters very shortly. The fact is that Kuwait has been liberated and that one of the most remarkable military campaigns of recent years has been concluded. I want to pay the warmest possible tribute to the commanding officers of all nations out there and especially to General de la Billiere, who has commanded our own troops with such skill. I entirely agree with my hon. Friend. We must now look to the future and secure peace, especially by the means mentioned by my hon. Friend.

Mr. Kinnock: May I say to the Prime Minister that today, in this Parliament and throughout the country, we share the feelings of satisfaction at the defeat of aggression, and the feelings of sorrow at the deaths and misery caused directly as a result of that aggression? Does the Prime Minister agree that the only fitting memorial to those who have made the ultimate sacrifice is to build, through the United Nations, lasting peace and lasting justice?

The Prime Minister: I share the emotions expressed by the right hon. Gentleman and the conclusion that he reached.

Mr. Temple-Morris: Does my right hon. Friend agree that if politicians do half as good a job in sustaining the peace as the armed services have done in winning the war, we shall not be doing at all badly? In sustaining that peace, will my right hon. Friend differentiate between the Iraqi people on the one hand, and Saddam Hussein and his Baathist clique on the other? Does he further agree that the

longer that Saddam Hussein and that clique remain in power, the more difficult it will be for all nations to have a charitable attitude towards Iraq?

The Prime Minister: I agree with my hon. Friend. We have never opposed the Iraqi people; it is their leadership and Saddam Hussein who have been the enemy on this occasion.

Q2. **Mr. Home Robertson:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Home Robertson: Will the Prime Minister pay tribute to the 300 service men and their five minesweepers from the Rosyth naval base on their skilful achievement in the long and hazardous task of clearing mines for the allied fleet? Is he aware that the Minister of State for the Armed Forces said on Tuesday that Rosyth naval base was the "easiest and most suitable" target for closure, in spite of the assurance given by the Prime Minister to the House on 5 February? Is that the kind of welcome home that our returning heroes can expect from Ministers in this Government?

The Prime Minister: I willingly join the hon. Gentleman in paying tribute to the men from Rosyth and the Royal Navy who have done such a magnificent job in sweeping the northern Gulf of mines. I do that with the greatest warmth and willingness. As the hon. Gentleman knows, for I have told the House before, a whole range of possible options concerning the armed forces generally is being considered to reduce the cost of defence support. In the case of the Royal Navy, that is bound to mean the closure of some naval establishments. At this stage the Ministry of Defence is looking at various possibilities and studies are being carried out. It is essential that those studies are carried out before any decisions of any sort can be made. I repeat my assurance to the hon. Gentleman: no decisions whatsoever have been made about the future of Rosyth.

Q3. **Mr. Devlin:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Devlin: My right hon. Friend will be aware of the profound joy and relief among families of service men in the north of England at the news of the ceasefire today and, in particular, at the extremely low level of casualties. Will he confirm that the troops will be brought back from the middle east as soon as possible and be replaced by a United Nations peacekeeping force?

The Prime Minister: We shall certainly be bringing our own troops home shortly. Precisely what will happen thereafter is a matter yet to be determined. No doubt I shall have more to say about that shortly.

Mr. Ashdown: May I associate myself with the words of other hon. Members on the role of our armed forces? The use of their professionalism and skill has been put to the service not just of the freedom of Kuwait but to the rule of international law and the authority of the United Nations. May I also pay tribute to the Prime Minister for the calmness and authority with which he has led the nation at a difficult time? Is his view about the future the same as mine? If the coalition invests the extraordinary victory in the United Nations, we will have created a powerful instrument not just for peace in the middle east now, but for peace in the world in the future as well.

The Prime Minister: I agree with the right hon. Gentleman. I am grateful to him for his kind words. The attitude taken by the Leader of the Opposition and by the right hon. Member for Yeovil (Mr. Ashdown) has led to a unity in the House which can have been only a comfort to all our troops.

Q4. **Mr. Speller:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Speller: Will my right hon. Friend accept the congratulations through me of the people of north Devon on his leadership over the past few months? Now, as he turns his view towards domestic problems, will he see whether he can right some of the inequalities that have bothered people about the community charge? In particular, will he consider the case where a husband and wife both have to pay community charge even though only one is at work?

The Prime Minister: I am grateful to my hon. Friend. As he knows, we are examining the community charge and we will make announcements on that when our examination is concluded.

Mr. James Lamond: Is there any chance of Governments at the United Nations applying the same energy and enthusiasm to trying to stop the sale of arms to dictators like Saddam Hussein throughout the world, in which case it might not be necessary to sacrifice young men such as those who were sacrificed in the recent war?

The Prime Minister: The hon. Gentleman knows that there has been an embargo by this country on sales of arms to Iraq for a considerable number of years. My right hon. Friend the Member for Finchley (Mrs. Thatcher) imposed a strict embargo on sales to Iraq many years ago.

Visits

Q5. **Mr. David Shaw:** To ask the Prime Minister when he next expects to visit Dover, Deal and south- east Kent.

The Prime Minister: I am making plans for a series of visits to all parts of the country and very much hope to include Kent among them.

Mr. Shaw: Will my right hon. Friend confirm the commitment of his Government to completing the dual carriageway A20 into Dover and—*[Interruption.]*

Mr. Speaker: Order. It is a perfectly legitimate question.

Mr. Shaw: Will my right hon. Friend confirm that his Government is committed to completing the A20 dual carriageway into Dover and to completing the A2 dualling between Lydden and Dover? Furthermore, will he send his best wishes to Bob Bale, Trevor Povey and all my constituents who have been fighting for Britain in the Gulf?

The Prime Minister: I am happy to send the best wishes that my hon. Friend suggests. My hon. Friend has raised his first point with me before, both privately and publicly, and I am happy to confirm that part of the A20 between Folkestone and Dover is under construction and, as my hon. Friend is aware, a scheme for the improvement of the A2 entered the road programme last year.

Engagements

Q6. **Mr. Eastham:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Eastham: With the welcome end of the Gulf war, will the Prime Minister ensure that the same endeavours are used to reduce hospital waiting lists, which now stand at 980,000, as were used to open wards and provide beds for possible casualties? If he bothers to visit Ribble Valley during the by-election will he try to explain why the waiting list for beds there has doubled during the past four years and now stands at 4,380?

The Prime Minister: As the hon. Gentleman should know, the health service is now treating more people more efficiently than ever before, not least due to the reforms introduced by the Government and the funding provided by them.

Q7. **Mr. Dykes:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Dykes: I thank my right hon. Friend for his incisive and decisive War Cabinet leadership which has led to success in the Gulf and I add my words of admiration for the unsurpassed and brilliant performance of our armed forces. As I have RAF Bentley Priory in my constituency, from which the Battle of Britain was directed 50 years ago, I particularly think of the performance of the Royal Air Force. Will my right hon. Friend confirm that the particularly brave performance of the Tornado pilots in low flying on the Iraqi airfields did, contrary to rumours, substantially neutralise many of the Iraqi airfields and prevent the Iraqi air force from fighting?

The Prime Minister: I can certainly confirm that. The bravery of the Tornado pilots in the early part of the campaign played a material part in ensuring that casualties in the land war were so few. I am happy to pay tribute to all those pilots.

Mr. William Ross: Will the Prime Minister give an assurance to the House that considerable expense will now be put to trying to find a better means of identifying friendly ground troops?

The Prime Minister: That is a matter to which we shall certainly give attention. The House will understand the tragic occurrence that leads the hon. Gentleman to ask that question. It is certainly a matter which will have the most careful examination.

Q8. **Mr. Arbuthnot:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Arbuthnot: In view of the recent murder of an innocent civilian by the IRA and the attempted murder of the War Cabinet, does my right hon. Friend agree that now is not the proper time to water down the prevention of terrorism Act?

The Prime Minister: I very much agree with my hon. Friend. The prevention of terrorism Act has served us well in recent years and for the moment we still require it.

Mr. Mallon: On this historic day when people throughout the world can again savour peace, may I as an Irishman express the anger and revulsion felt by the vast majority of Irish people at the murderous attempts on commuters in Victoria and other stations? Does the Prime Minister agree that the contrived security alerts that we saw again yesterday are causing enormous suffering and disruption to thousands of people going to and coming from work? Does he share my view that to kill and to heap suffering on people in furtherance of political ends is a sad and cynical perversion of the very concept of patriotism?

The Prime Minister: I agree with the hon. Gentleman. It is wickedness beyond belief, and it deserves the contempt of everyone.

Q9. **Dr. Twinn:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Dr. Twinn: May I join in the warm congratulations of the House to my right hon. Friend for his conduct of the war? In looking to the future, will he bear in mind the problems caused by the division of Cyprus and the fact that United Nations Security Council resolutions have still not been implemented there?

The Prime Minister: I shall certainly put my mind to that problem. I share my hon. Friend's hope that the Cyprus question will be resolved. Indeed, I am sure that everyone in the House wants to see that. I do not believe that question of Cyprus can be directly related to the Gulf conflict.

Q10. **Mrs. Alice Mahon:** To ask the Prime Minister if he will list his official engagements for Thursday 28 February.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Mrs. Mahon: Has the Prime Minister had time to read the recent Amnesty International report on the people of East Timor? Will he now make a commitment to the achievement of a peaceful and just world by banning the sale of weapons to Indonesia, given that that country has illegally occupied East Timor for 15 years and has committed the most atrocious acts of violence against its population? Is not this a good time to do something about the evil of the arms trade?

The Prime Minister: I have not read the Amnesty International report to which the hon. Lady has referred, but I shall certainly seek to do so and reflect upon what she has said.

Although it is possible to identify some of the payments which have been made to the agriculture industry in England—details are contained in the annual appropriation accounts class IV—Agriculture, Fisheries and Food—it is not possible to disaggregate all United Kingdom CAP expenditure in this way.

Gulf Oil Slicks

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if his Department's marine biology laboratories at Lowestoft have analysed the effects on the Gulf coral reefs of reduced exposure to sunlight arising from the extensive oil slicks in the Gulf.

Mr. Curry: The expertise and scientific programme of my Department's marine laboratory at Lowestoft are focused on the environmental conditions of our own waters. However, Britain is participating fully in the international effort to tackle the pollution in the Gulf, and my scientists stand ready to provide advice as necessary from within their areas of competence and experience.

Hill Livestock Compensatory Allowances

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what estimate he has of the number of businesses receiving hill livestock compensatory allowance payments in 1991.

Mr. Gummer: I estimate that some 65,000 farm businesses in the United Kingdom will receive payments during 1991 under the hill livestock compensatory allowances scheme.

Gulf Forces (Beef Supply)

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food why it has not proved possible for the intervention board to make a successful tender for the supply of British beef to the armed services serving in the Gulf.

Mr. Curry: The intervention board is required to sell beef on terms laid down by the European Commission, generally by inviting tenders from meat traders. The board does not itself engage in submitting tenders for sale. The arrangements for the supply of beef to the Ministry of Defence entail the submission of tenders by wholesale meat suppliers. Officials of my Department are in contact with the Ministry of Defence to examine whether changes are possible to the various arrangements which would facilitate access to intervention stocks by Ministry of Defence suppliers.

Potatoes

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what is the number of hectares registered with the Potato Marketing Board for potato growing, and the number of individual farmers registered, for each year since 1980.

Mr. Gummer: The table shows the number of producers registered with the Potato Marketing Board and the basic area available for planting since 1980.

	Registered Producers	*Basic Area '000 ha*
1980	30,225	192
1981	28,760	182
1982	27,498	172
1983	26,499	169
1984	25,480	168
1985	24,948	165
1986	22,565	161
1987	21,439	155
1988	20,155	154
1989	19,266	152
1990	18,276	153

OVERSEAS DEVELOPMENT

Namibia

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will indicate the amount of aid contributed by the United Kingdom and each European Community member to the development of Namibia since that country's independence.

Mrs. Chalker: On Namibia's independence last March, I announced in the House that Britain would provide £10 million of bilateral aid for commitment over three years. Our best available information on commitments made by other European Community members is as follows:

Denmark:
40 million kroner for the three years following independence.
France:
100 million francs for the three years following independence.
Germany:
100 million Deutschmarks committed in 1990.
Italy:
US$12 million for the three years following independence.
The Netherlands:
5-10 million Guilders per year.
Spain:
US$700,000 in emergency aid for the first year following independence.

PRIME MINISTER

The Gulf

Mr. Cohen: To ask the Prime Minister what consideration Her Majesty's Government gives to public opinion on the Gulf war; and how Her Majesty's Government-imposed reporting restrictions relate to this.

The Prime Minister: Support from the British public remains very strong for the actions being taken by the allies to liberate Kuwait in accordance with United Nations Security Council resolutions. The Government's policy is to allow all reasonable freedom and access for reporting, subject only to constraints essential to protect the safety of coalition forces and the security of allied operations.

Mr. Marlow: To ask the Prime Minister what is his intention with regard to the award of a Gulf campaign medal.

The Prime Minister: The question of an appropriate medal for those serving in the Gulf is under consideration.

EDUCATION AND SCIENCE

Minister for Sport

Sir John Wheeler: To ask the Secretary of State for Education and Science if he will set out the precise duties and responsibilities of the Minister for Sport.

Mr. Atkins: With effect from 3 December 1990, responsibility for sport and recreation transferred from the Department of the Environment to the Department of Education and Science. I am responsible for sports matters generally and for sport and PE in schools. In addition, I am responsible for children's play; personal and social education, including health, AIDS, drugs and sex education; the youth service; energy conservation; and departmental purchasing. I also provide support on section 12 to 16 cases.

Sir John Wheeler: To ask the Secretary of State for Education and Science what is the policy of the Minister for Sport so far as regular meetings with the Football Supporters Association and the National Federation of Football Supporters Clubs is concerned.

Mr. Atkins: My predecessor as Minister for Sport had meetings with the Football Supporters Association and the National Federation of Football Supporters Clubs. I will meet them as and when appropriate.

Student Loans

Mr. Andrew Smith: To ask the Secretary of State for Education and Science (1) what scope remains for students to negotiate alternative contact names; and if he will make a statement;

(2) what were the reasons for the decision that applicants for student loans must now provide contact names of blood relatives.

Mr. Alan Howarth: The administration of the student loans scheme is the responsibility of the Student Loans Company. I am therefore asking the managing director of the company to write direct to the hon. Member with the information requested.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will provide the reference for the regulation allowing the Student Loan Company to require applicants to have a bank account capable of direct debit; and if he will make a statement.

Mr. Alan Howarth: The Education (Student Loans) Act 1990 does not require the arrangements for administering the student loans scheme to be contained in regulations.

The Act does, however, require regulations to provide, among other things, for the manner in which repayments of loans are to be made. Regulation 7(4) of the Education (Student Loans) Regulations 1990 therefore provides that repayments shall be made by direct debit from the borrower's bank or building society account unless the loans administrator agrees otherwise. Under current arrangements the loans administrator is the Student Loans Company.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what hardship provisions graduates with student loans may seek if supporting dependants, high rent, or mortgages renders them unable to make payment; and whether he will make a statement.

Mr. Alan Howarth: Borrowers under the student loans scheme whose repayment term has begun may defer making repayments where their gross income is less than 85 per cent. of national average earnings. Repayments of about £400 a year in 1990 prices should be manageable for borrowers whose income exceeds that threshold.

The Education (Student Loans) Regulations 1990 make further provision for borrowers who receive certain disability-related social security benefits. Those benefits are disregarded when assessing borrowers' income for deferment purposes. The Student Loans Company may also permit such borrowers to commence repayment at a later date than they would otherwise have to or to repay over a longer period.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science whether he will propose some remedy for applicants for student loans whose birth certificates have been refused by higher education institutions as adequate identification where their name has since changed; and if he will make a statement.

Mr. Alan Howarth: Regulation 11(4) of the Education (Student Loans) Regulations 1990 requires institutions to inspect the birth or adoption certificate of a student who seeks certification of eligibility for a loan, where that student was born in the United Kingdom. The Student Loans Company uses information contained on such certificates to identify each student individually. This helps to avoid confusion and to prevent fraud. It thereby protects both the taxpayer and the student.

Because the information on a birth or adoption certificate does not change, it is particularly valuable where the student's name has changed since birth or adoption. In such cases, the student may also need to produce documentation showing that he or she is the person named on the birth or adoption certificate.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what representations the Student Loan Company has made to him regarding its delay in processing student loan applications; and whether he will make a statement on the rate of take-up of loans.

Mr. Alan Howarth: As at Thursday 14 February, more than 98,000 applications had been made to the Student Loans Company.

The company aims to process loan applications within 21 days of receipt. In setting itself this aim, the company relies on students' institutions to forward eligibility certificates promptly and correctly completed. It also relies on students to complete their application form correctly and then to sign and return their loan agreement form promptly. Where these conditions are met, the company is achieving its aim.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what costs the Student Loans Company has incurred to date, separating out start-up costs and continuing operations; and whether he will make a statement.

Mr. Alan Howarth: The total costs of establishing the student loans scheme to 31 August 1990 were £9·3 million, exclusive of VAT. This figure includes costs incurred before the Student Loans Company was founded. Between 1 September 1990 and 31 January 1991 the company incurred operational costs of £4·64 million, excluding VAT.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he intends to continue his policy restricting students in higher education to one application per academic year to the Student Loans Company; and if he will make a statement.

Mr. Alan Howarth: Yes. Depending on the time in the year when students apply, they may ask the Student Loans Company to pay their loan in up to three instalments.

Physical Education

Mr. Pawsey: To ask the Secretary of State for Education and Science when the interim report of the national curriculum working group for physical education will be published; and whether he will make a statement.

Mr. Kenneth Clarke: My right hon. Friend the Secretary of State for Wales and I will publish the report tomorrow, together with my letter to the chairman of the group, Mr. Ian Beer. Copies of this initial advice, including my letter, will be placed in the Library.

Youth Workers

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will set out *(a)* the funds spent in 1990-91 through the local education authority training grant system on training of youth workers and *(b)* the funds available in 1991-92 under grants for education support and training for the training of youth workers.

Mr. Atkins *[holding answer 15 February 1991]:* In 1990-91 local education authority training grants are available to support some £1·2 million of expenditure on training of youth and community workers. In 1991-92 grants for education support and training are available to support some £1·25 million of such expenditure.

Mr. Fatchett: To ask the Secretary of State for Education and Science how much of the National Youth Agency budget for 1991-92 will be spent on *(a)* initial youth worker training and *(b)* in-service youth worker training.

Mr. Atkins *[holding answer 15 February 1991]:* The National Youth Agency's budget for 1991-92 has not yet been decided. It will be determined on the basis of the agency's work programme which will be agreed with the Department.

Mr. Fatchett: To ask the Secretary of State for Education and Science whether grants for education support and training may be used to finance training for volunteer youth workers.

Mr. Atkins *[holding answer 15 February 1991]:* The grants for education support and training programme for 1991-92 does not include grants which could support the training of volunteer youth workers.

Mr. Fatchett: To ask the Secretary of State for Education and Science what guidelines he has given to the National Youth Agency in relation to its proposed role and functions; and if he will make a statement.

Mr. Atkins *[holding answer 15 February 1991]:* My right hon. Friend's reply on 5 April 1990 to the question from my hon. Friend the Member for Bury, North (Mr. Burt) described the proposed role and functions of the National Youth Agency. These functions were explained in greater detail in a letter to the chairmen of the youth service bodies in June 1990. I shall send the hon. Member a copy of the list of functions.

Dual Use Facilities

Mr. Pendry: To ask the Secretary of State for Education and Science what is the reason for the delay in publishing the practical guidance booklet on dual use facilities; by what date the booklet will be published; if he will require specific responses to the guidance from all local education authorities, and particularly from those with responsibility for inner-city areas; and by what date he will publish an implementation timetable for proposed new schemes.

Mr. Atkins *[holding answer 15 February 1991]:* I refer the hon. Member to the reply that I gave him on 14 December 1990, *Official Report*, column *514*. The dual use guidance booklet is currently being revised with a view to publication in the spring. The Department will continue to monitor good practice in this area, but there are no plans to require individual responses to the booklet from local education authorities or to publish an implementation timetable.

Child Abuse

Sir Michael McNair-Wilson: To ask the Secretary of State for Education and Science (1) if he will list the changes he has introduced in the regime of independent schools as a result of the case involving child abuse at Crookham Court school in Berkshire;

(2) if he will introduce legislation to require head teachers always to inform the police and his Department when a member of staff is required to leave a school because of child abuse; and if he will make a statement.

Mr. Fallon *[pursuant to his answer, 22 January 1991, c. 121-23]:* The Department is now consulting independent schools organisations and other bodies on amendments to the Education (Particulars of Independent Schools) Regulations 1982. The Welsh Office will consult in Wales.

These amendments will require proprietors of independent schools to report to the Secretary of State where any person—not just any teacher as at present—is dismissed from employment for misconduct, or would have been dismissed or considered for dismissal had they not resigned. Proprietors will also be required to provide particulars of all staff, not just teaching staff, on application for registration and annually.

The changes will enable the Department to consider placing independent schools' non-teaching staff on list 99, as well as teaching staff, and will make it possible to check regularly that no barred staff are working in independent schools in a non-teaching capacity.

The closing date for consultation is 8 March and we plan to make amending regulations soon thereafter. In the meantime, the organisations consulted are being asked to invite any schools in membership to begin reporting voluntarily.

CIVIL SERVICE

Women Employees

41. **Mr. Janner:** To ask the Minister for the Civil Service how many women are employed in civil service grades 1, 2 and 3, respectively.

Mr. Renton: Currently, there are no women in the civil service at grade 1 level, seven at grade 2 level and 37 at grade 3 level.

Disabled Employees

42. **Mr. Bowis:** To ask the Minister for the Civil Service what steps he is taking to remove obstacles to, and restrictions on, the employment and promotion of people with disabilities in the civil service.

Mr. Renton: My Department is taking a range of initiatives to promote equality of opportunity for people with disabilities. These include support and advice to Departments and agencies in implementing the revised code of practice on disability.

Public Relations Officers

43. **Mr. Corbyn:** To ask the Minister for the Civil Service in what grades press and public relations officers are employed.

Mr. Renton: These officers are employed in a wide spectrum of grades, but most commonly information grades.

Agencies

44. **Mr. Harry Greenway:** To ask the Minister for the Civil Service how many civil service jobs are now performed by agencies; and if he will make a statement.

Mr. Renton: More than 82,000 civil servants are working in the 34 "next steps" agencies now established. The Chancellor announced earlier this month that the Inland Revenue and Customs and Excise Departments are also to operate fully on "next steps" lines. This, together with the further 32 agency candidates which have been announced, covers over 280,000 staff.

45. **Mr. Favell:** To ask the Minister for the Civil Service whether the creation of "next steps" agencies will affect the numbers employed in the civil service.

Mr. Renton: "Next steps" is designed to produce a better-managed and more efficient civil service responsive to the needs of Ministers and the public.

SOCIAL SECURITY

Satellite Television

Mr. Holt: To ask the Secretary of State for Social Security how much has been set aside to pay additional housing benefit to housing trust tenants who require a decoder to receive satellite television.

Miss Widdecombe: Housing benefit is an income-related benefit intended to help meet reasonable accommodation costs. Broadly this means rent and any compulsory service charges related to the provision of adequate accommodation. It is for local authorities to determine what proportion of a rent is eligible for housing benefit in any particular case by reference to the housing benefit regulations. We are currently reviewing those regulations to ensure that they clearly prevent charges for satellite television relay from being met by benefit.

Appeal Tribunal

Mr. Fraser: To ask the Secretary of State for Social Security how many appeals are currently outstanding from the social security appeal tribunal; and what is the average time for those appeals to be dealt with at all levels.

Miss Widdecombe: Responsibility for the administration of social security appeals lies with the president of social security and medical appeal tribunals, His Honour Judge Holden. He has advised that the total number of appeals outstanding at the social security appeal tribunals, as at 8 January 1991, is 22,823.

The latest figures available for processing appeals are those for the quarter ending 31 March 1990. The average times for that quarter were:

(a) from lodgement to receipt of the submission by the tribunal clerk—10·2 weeks;
(b) from lodgement to the date of hearing—23 weeks.

Severe Disability Premium

Mr. Rooker: To ask the Secretary of State for Social Security how many applicants in Birmingham for severe disability premium are *(a)* awaiting decisions of the appeal tribunal and *(b)* awaiting his Department's action following appeal tribunal decisions.

Miss Widdecombe: The responsibility for social security appeal tribunals lies with the president of the social security and medical appeal tribunals, His Honour Judge Derek Holden. He has supplied me with the following information:

(a) just over 700 cases held by the Birmingham tribunal concern the income support severe disability premium and are awaiting decisions, listing or the adjudication officer's submission;
(b) the information is not available, and could be obtained only at disproportionate cost.

Community Charge Benefit

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security what is the proportion of those receiving poll tax rebates in Wales expressed as a percentage of the total number of poll tax payers.

Miss Widdecombe: At 31 August 1990, community charge benefit was in payment to 24 per cent. of those liable to pay the charge in Wales.

Cold Weather Payments

Mr. Morgan: To ask the Secretary of State for Social Security if he will initiate a study into the relationship between the number of applications for special cold weather payments in any social security office area and the extent of local newspaper advertising of the relevant application forms.

Mr. Scott: The hon. Member's suggestion will be considered as part of the review of cold weather payments.

Retirement Pension

Mr. Steen: To ask the Secretary of State for Social Security what is the cost each year to the Exchequer of giving those over 80 years of age an additional 25p a week pension; and what is the administrative cost of making these additional payments.

Miss Widdecombe: The estimated current cost of giving those over 80 years of age an additional 25p per week pension is over £26 million a year. As the addition is added automatically to the pension on the first payday after the pensioner's 80th birthday there is no additional administrative cost involved in making these payments.

THE ARTS

Cultural Matters (EC Competence)

30. **Mr. Maclennan:** To ask the Minister for the Arts if he will be attending any future meetings of the intergovernmental conference on political union of the European Community to discuss the competence of the Community in cultural matters.

Mr. Renton: I have no plans at present to do so. The discussions of the intergovernmental conference on political union cover a wide range of issues, on which my right hon. Friend the Secretary of State for Foreign Affairs is in the lead. The view of Her Majesty's Government is that the treaty of Rome does not confer competence on the Community in the cultural area.

Museums and Galleries

31. **Mr. Grist:** To ask the Minister for the Arts what proposals there are to ensure that the fabric of museums and galleries is being maintained.

Mr. Renton: I have commissioned Arup Research and Development to conduct a study of the building renovation needs of national museums and galleries which I sponsor. I expect it to report to me in summer 1991.

Scholarships

32. **Mr. Harry Greenway:** To ask the Minister for the Arts how many scholarships in the arts and in what main areas of activity are sponsored by his Department; and if he will make a statement.

Mr. Renton: No arts scholarships are sponsored by the OAL. Many of the institutions sponsored by the OAL provide education, training, work experience, and so on, for their staffs. In addition, the national film and television school has a scholarship fund from which support is given to British students in need, developed with the aid of private sponsors.

Funding, London

34. **Mr. Cohen:** To ask the Minister for the Arts when he plans to meet the chair of Greater London Arts to discuss funding for smaller arts clients in London.

Mr. Renton: I have no such plans. The funding of arts clients in London is a matter for the Arts Council and for Greater London Arts as appropriate.

36. **Mr. Butler:** To ask the Minister for the Arts what proportion of central Government arts spending is spent within Greater London.

Mr. Renton: Nearly 37 per cent. of the Arts Council of Great Britain's total grant in aid in 1989-90 was allocated to clients in Greater London.

Arts Council Grant

35. **Dr. Kim Howells:** To ask the Minister for the Arts how much of the Arts Council grant in England and Wales in 1989-90 was actually paid to artists, writers, musicians and those in the performing arts; and how much was absorbed by administration.

Mr. Renton: The total of the Arts Council's grant in aid spent in England and Wales in 1989-90 was £139,745,000. Just under £14·4 million was spent by the Arts Council of Great Britain, the Welsh Arts Council and the 12 English regional arts associations on operational services. The functions of these bodies extend well beyond grant administration and include arts promotion and marketing, other professional advice and support to client organisations, and development and planning work.

ENERGY

Electricity Privatisation

Mr. Kirkwood: To ask the Secretary of State for Energy if he will publish in the *Official Report* the details relating to the flotation of the electricity generating companies on *(a)* the number of individuals who responded to the official advertising campaign and registered as prospective applicants in advance of the sale, *(b)* the number of those pre-registered who subsequently were not allocated any shares, *(c)* the value of the cheques received from those pre-registered who subsequently were not allocated any shares, *(d)* the date on which the cheques received from unsuccessful pre-registered applicants were encashed, *(e)* the date when the subsequent refunds were subsequently made and *(f)* the value of the interest generated by the encashment of cheques prior to refund to unsuccessful applicants.

Mr. Heathcoat-Amory: The available information is as follows:

(a) By midnight on 14 November 1990 the electricity share information office had received approximately 7·3 million applications to register;

(b) Approximately 97 per cent. of registrants who duly applied as customers received an allocation. No figures are available in respect of registrants who applied other than as customers;

(c, f) The systems employed to record applications and account for interest do not permit the separate identification of data relating to wholly unsuccessful and partially successful applications. The value of cheques submitted with wholly unsuccessful applications by registrants and of the interest earned on those cashed is therefore not available;

(d, e) Cheques from the public in the retail offers were cashed principally in the week 10 to 14 December 1990. Refunds of application monies were dispatched by first-class post on a phased basis, principally from 16 to 19 December 1990. The majority of wholly unsuccessful application forms and their accompanying uncashed cheques were returned the previous week.

Mr. Kirkwood: To ask the Secretary of State for Energy if he will publish in the *Official Report* details relating to

the information made available to the public in advance of the flotation of the electricity generating companies about encashment of cheques where no shares were allocated to them.

Mr. Heathcoat-Amory: The prospectus for the 12 regional electricity companies share offers stated in chapter VII, paragraph 8 of the terms and conditions of application that the right was reserved to present for payment all cheques or bankers' drafts received. It also stated in chapter VI, section 2e that this would be avoided where practicable in respect of applications for which it was not expected to make an allocation.

Mr. Kirkwood: To ask the Secretary of State for Energy whether he is satisfied with the procedures used to refund money in the electricity generating companies flotation to those who had pre-registered but were subsequently allocated no shares; and whether he has any plans to use such a system in any future flotations.

Mr. Heathcoat-Amory: In the case of the 12 regional electricity companies share offers, the procedures were designed to enable cheques to be returned to applicants receiving no allocation as quickly as possible; most received them before Christmas.

For the minority of cases where no shares were allocated, but where it was not practicable to avoid cashing cheques, provision was made for refunds to be issued; this took place in the majority of these cases before Christmas.

For the generating companies share offers the arrangements are much simpler, not least because, as only two companies are being offered together, it will not be necessary to cash cheques that are duly submitted with application forms unless it is expected that an allocation will be made.

Nuclear Power Stations

Mr. Morgan: To ask the Secretary of State for Energy on what date he expects to publish the long-term safety reviews for Hinkley A, Trawsfynydd and Sizewell A nuclear power stations.

Mr. Heathcoat-Amory: I understand that the Health and Safety Executive's nuclear installations inspectorate —NII—has almost completed its detailed assessment of the long-term safety review of Hinkley Point A. The HSE will publish the NII's findings later this year. The NII's examination of the long-term safety reviews for Trawsfynydd and Sizewell A are due for completion by late 1991 and the end of 1992 respectively. The HSE proposes to publish the NII's findings on these long-term safety reviews as soon as possible thereafter.

Kansai Electric Power Station

Mr. Morgan: To ask the Secretary of State for Energy when he expects to consult his Japanese opposite number regarding the radiation leak at the nuclear power station of Kansai Electric; and if he will make a statement.

Mr. Heathcoat-Amory: My Department has been informed of the incident at the Mihama-2 plant at Kansai Electric on Saturday 9 February by our embassy in Tokyo and has also received information from other sources including the International Atomic Energy Agency in Vienna, to which the Japanese Government have supplied an account of events.

From the accounts that my Department has received, it would appear that the amount of radioactivity released was extremely small and that there is no reason to believe that it constituted any danger to the population or the environment. My Department has also been told that the incident was not serious and that the reactor was shut down safely by its own protective systems.

HEALTH

Hospital Beds

Mr. Bradley: To ask the Secretary of State for Health what was the average number of beds available within the South Manchester health authority area in 1980, 1985 and 1990; what is the current actual position; and what are the comparable figures for England as a whole.

Mr. Dorrell: The information requested is given in the table.

Number of average daily available beds

	1980	*1985*	*1989-90*
South Manchester DHA	2,423	2,277	1,927
England	355,979	325,487	270,334

Number of patients treated

	Finished hospital stays (discharge and deaths)		*Finished consultant episodes*
	1980	*1985*	*1989-90*[1]
South Manchester DHA	61,745	69,361	76,259
England	5,670,001	6,353,812	7,476,626

[1] Figures for 1989-90 refer to Finished Consultant Episodes and should not be directly compared with earlier figures (discharges and deaths).

More recent information on beds and patients treated is not held centrally. The hon. Member may wish to write to Mr. P. Hadfield, the chairman of South Manchester health authority, for details.

The Gulf

Ms. Primarolo: To ask the Secretary of State for Health what provision is being made by his Department for the support of families and service men and women who are subject to trauma, stress and long-term mental illness arising from war in the Gulf.

Mr. Dorrell: The Department has issued advice to health authorities and social service departments about contingency planning arrangements for Gulf casualties.

The families of all service personnel are entitled to national health service and social services in the same way as any other resident. It will be for local services to arrange appropriate long-term care and support for all in their area who are subject to trauma, stress and long-term mental illness.

Mr. Primarolo: To ask the Secretary of State for Health what research has been conducted into the use of psychotherapeutic treatment as against the use of drugs in the treatment for trauma, stress and long-term mental illness in the case of service men and women and their families consequent upon the war in the Gulf.

Mr. Dorrell: Substantial research has been undertaken into the appropriate role of drugs and psychotherapy in

the treatment of trauma, stress and long-term mental illness in respect of previous conflicts. The war in the Gulf is of too recent origin to have permitted research in this area.

Health Authority Funding

Ms. Walley: To ask the Secretary of State for Health if he will give the basis on which extra resources to enable health authorities to reduce creditor levels are being allocated; and if he will make a statement.

Mr. Dorrell: The basis for allocating this money has not been finalised. Each authority receiving some of this allocation will also be expected to contribute to reducing its creditor levels from within its own resources.

Young Offenders

Mr. Cox: To ask the Secretary of State for Health if he will list the secure establishments other than prisons in England and Wales where young *(a)* men and *(b)* women, under the age of 16 years can be held.

Mrs. Virginia Bottomley: On 31 January 1991, there were 36 secure units in community homes for children in England and Wales, all of which admitted young people under the age of 16. Details of them are given in the table. In addition, the Department runs two youth treatment centres—YTCs—Glenthorne in Birmingham and St. Charles in Essex. Both YTCs admit young people under the age of 16.

Secure units in England and Wales open on 31 January 1991

Local Authority	*Name of home in which secure unit is located*	*Type of places*
England		
Avon	Kingswood	Boys
Berkshire	Brookside	Mixed
Birmingham	St. John's	Mixed
Cambridgeshire	Salters	Girls
Cheshire	Redsands	Mixed
Coventry	Stoke House	Mixed
Derbyshire	Greenacres	Mixed
Derbyshire	Moorfield	Mixed
Devon	Northbrook	Mixed
Durham	Aycliffe (2 units)	Mixed
East Sussex	Lansdowne	Mixed
Greenwich	Frant Court	Girls
Hammersmith	Stamford House	Boys
Hampshire	Fairfield	Girls
Hampshire	Glen House	Boys
Hertfordshire	Woodside	Mixed
Hillingdon	Middlesex Lodge	Girls
Lancashire	Briars Hey	Girls
Lancashire	Red Bank (2 units)	Boys
Leeds	Eastmoor (2 units)	Boys
Lincolnshire	Kesteven	Mixed
Liverpool	Blackbrook House	Girls
Liverpool	Dyson Hall	Boys
Newham	Little Heath Lodge	Boys
Northumberland	Netherton Park	Mixed
Oxfordshire	Thornbury House	Boys
Rotherham	Keppels View	Mixed
Salford	Park House	Boys
Southwark	Orchard Lodge	Boys
West Sussex	Beechfield	Mixed
Wales		
Gwent	Ty Mawr	Boys
Mid Glamorgan	Silverbrook	Girls
West Glamorgan	Llwyncelyn	Boys

Hospital Closures, Doncaster

Mr. Redmond: To ask the Secretary of State for Health how many hospitals have closed since 1979 *(a)* nationally and *(b)* in the Doncaster area.

Mr. Dorrell: We are aware of 463 hospitals or facilities that have been approved for total closure from 1979 to 31 December 1989. Of these, two hospitals were in the Doncaster area.

Over the same period, the NHS has increased in-patient treatment as follows:

	1979	*1988-89*
England	5,400,120	6,585,982
Doncaster	28,103	41,969

That is an increase of 22 per cent. nationally—49·3 per cent. in the Doncaster area.

Day case treatment also increased as follows:

	1979	*1988-89*
England	592,061	1,016,327
Doncaster	2,909	4,961

That is an increase of 71·7 per cent. nationally—70·5 per cent. in the Doncaster area.

From 1979-80 to 1989-90 expenditure on the NHS capital programme has grown by 55 per cent. in real terms.

Census Data

Mr. David Shaw: To ask the Secretary of State for Health whether he has now considered the British Computer Society's report on its independent review of the confidentiality arrangements for the computer processing of 1991 census data; and if he will make a statement.

Mr. Dorrell: The report is contained in the White Paper "1991 Census of Population: Confidentiality and Computing"—Cm1447—which is being published today by my right hon. Friends the Secretaries of State for Health and for Scotland. The White Paper includes a statement by the Government and also sets out the Government's reply to the society's recommendations.

The society's report contains the following summary assessment:

"The Review Team has examined all relevant arrangements already in place, and the plans and stated intentions where preparatory work is still in progress. The Review Team can report that the arrangements made so far are, in its opinion, fully in keeping with the very high standards of confidentiality required; and that the plans and intentions current at the time of preparing this Report are consistent with that standard."

In their statement, the Government welcome not only the society's conclusions and recommendations but the opportunity to reaffirm their determination to protect the confidentiality of the information about individual persons and households to be collected in the census on 21 April.

Population Forecasts

Mr. Steen: To ask the Secretary of State for Health how many people are involved in making population forecasts in *(a)* the Office of Population, Censuses and Surveys, *(b)* the Department of the Environment, *(c)* elsewhere in public departments and *(d)* in county authorities.

Mr. Dorrell: Six people are employed in a unit at the OPCS the main task of which is preparing, publishing, and disseminating population projections.

Four people in the Department of Environment spend part of their time working on the migration element of subnational population projections, including consultation with local authorities. In total, less than one person a year is spent in this activity each year.

In the Government Actuary's Department three people are involved in making population projections. Information is not held centrally for people involved elsewhere in public departments or in county authorities and could be obtained only at disproportionate cost.

Gulf Casualties

Mr. Hinchliffe: To ask the Secretary of State for Health what proportion of national health service acute beds are normally available for emergency admissions.

Mrs. Virginia Bottomley: This information is not held centrally. It is for each hospital unit to decide the proportion of its national health service acute beds to be made available for emergency admission. The proportion of all patients—in-patients and day cases—admitted immediately was 56 per cent. in 1989-90.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what consideration is currently being given to the projected lengthening of surgical waiting lists resulting from national health service treatment of war casualties;

(2) if he will instruct all regional health authorities to open, equip and staff wards and beds, previously closed for financial reasons, to meet the needs of Gulf patients and continued treatment of waiting list patients.

Mr. Dorrell: I refer the hon. Member to the reply I gave the right hon. Member for Manchester, Wythenshawe (Mr. Morris) and the hon. Members for Easington (Mr. Cummings), for Newham, North-West (Mr. Banks) and for Stoke-on-Trent, North (Ms. Walley) on 17 January at columns *583-84*.

Mr. Hinchliffe: To ask the Secretary of State for Health if, once Gulf casualties have been transferred to the national health service, hospitals will be responsible for dealing with relatives' inquiries and visits.

Mr. Dorrell: National health service hospitals treating Gulf casualties will deal with relatives' inquiries and visits in conjunction with the military administrative officers (civil hospitals).

Mr. Hinchliffe: To ask the Secretary of State for Health how many beds are available within English, Welsh and regional burns units to deal with serious burns.

Mrs. Virginia Bottomley: Identification of the need for, and provision of, services for serious burns are matters for regions to determine. In the event of exceptional demand, consultants would be expected to exercise their normal discretion to seek inter-hospital transfer or to set up "satellite" units.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what training has been provided to national health service nurses on how to deal with the effects of chemical weapons upon patients;

(2) what advice has been given to national health staff about the possibility of contamination by chemical and biological agents when treating patients contaminated by such agents;

(3) what experience existing national health service staff, not called for service in the Gulf, have in dealing with the results of chemical and biological weapons;

(4) what information national health service hospitals have received concerning patients contaminated by biological agents as a result of warfare in the Gulf;

(5) what proportion of persons suffering from the effects of chemical contamination in the Gulf are likely to be treated, in the longer term, by the national health service;

(6) what number of chemical warfare victims can be dealt with by the national health service.

Mr. Dorrell: NHS hospitals will treat all Gulf casualties admitted to them. Those suffering from the effects of chemical weapons will be decontaminated before being evacuated to the United Kingdom. There is therefore no threat to NHS staff from treating such casualties.

I am advised that, after decontamination has taken place, the most likely effects of chemical weapons are similar to those arising in other circumstances, for which NHS staff are already trained. The experience which individual members of staff have depends on a variety of circumstances and is not recorded centrally.

The NHS has not been asked by the Ministry of Defence to prepare for reception of casualties suffering from the effects of biological weapons. Should the need arise, such casualties would need immediate treatment and this would be given in the Gulf area.

Mr. Hinchliffe: To ask the Secretary of State for Health what steps have been taken to provide the levels of skilled staff required to expand regional burns unit capacity, should this be required.

Mrs. Virginia Bottomley: Normal regional planning for contingencies, such as major accidents, includes taking account of the possible need to increase levels of skilled staff in burns units. National guidance has been issued to regions to supplement their normal planning arrangements in the event of casualties from the Gulf war.

Mr. Hinchliffe: To ask the Secretary of State for Health what counselling and other support services will be provided to national health service personnel treating war casualties.

Mr. Dorrell: The provision of counselling and other support services for NHS personnel treating war casualties will be determined at local level.

Mr. Hinchliffe: To ask the Secretary of State for Health what advice he has given to regional health authority press officers concerning casualties from the Gulf treated in the national health service.

Mr. Dorrell: The Department has issued advice on how to deal with issues likely to arise.

Mr. Hinchliffe: To ask the Secretary of State for Health what level of psychiatric services will be made available to personnel returning from the Gulf.

Mr. Dorrell: Personnel returning from the Gulf and referred to the NHS will have available the full range of normal NHS psychiatric services for treatment as appropriate.

Constituency Electorates

Mr. Rooker: To ask the Secretary of State for Health how many forms RPF 29 have been received by the Office of Population Censuses and Surveys detailing the electorates of parliamentary constituencies for 1991, at the latest convenient date.

Mr. Dorrell: By 13 February, 197 electoral registration officers in local authorities in England and Wales had submitted RPF 29 returns containing 1991 electorate figures to OPCS: 206 were outstanding.

Hospital Waiting Lists

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what matters were discussed at the meeting last week between Mr. John Yates of the Inter-Authority Comparisons and Consultancy Company and the Minister of State; and if he will make a statement;

(2) what reasons have been given to him by the Inter-Authority Comparisons and Consultancy Company for its withdrawal from the Government's initiative on reduction of hospital waiting lists; and if he will make a statement.

Mrs. Virginia Bottomley: Mr. Yates was invited to explain the decision to withdraw from the agreement with the Department to carry out studies of long waiting lists in 1991-92. We are determined to reduce the number of long-wait patients. We expect to use outside help to carry this important work forward.

Mr. Hinchliffe: To ask the Secretary of State for Health what instructions have been given to health authorities with regard to the reduction of hospital patients' waiting lists; and what targets have been set for achievement by March 1992.

Mrs. Virginia Bottomley: Duncan Nichol, chief executive of the NHS management executive, has written to general managers to say that targets will be agreed with each of the 14 regional health authorities for substantial reductions in the number of patients who wait more than one year for treatment. As a minimum, no patient should have to wait more than two years by March 1992. The £35 million waiting list fund for 1991-92 will be deployed to help regions achieve their targets.

Mr. Tony Banks: To ask the Secretary of State for Health what is the latest estimate of those on the NHS waiting lists in the Greater London area; and what the figure was in each of the last five years.

Mrs. Virginia Bottomley *[holding answer 17 January 1991]:* Figures for March 1990, the latest available centrally, and the previous five years are given in the table. What matters is the time patients wait, not the total numbers on the list. In the 12 months to March 1990 the number of patients waiting over one year for in-patient treatment in the Greater London area health authorities fell by 14 per cent.

London Health Authorities: Waiting lists at 31 March (in-patients)

	Total (excluding self-deferred cases)
1985	107,951
1986	121,412
1987	125,077
1988	124,661
1989	130,482
1990	126,616

Source: SBH203 1985-1987.
KHO6/7/7A 1988-90.

NHS Personnel (Gulf War)

Mr. Hinchliffe: To ask the Secretary of State for Health how many national health service *(a)* doctors, *(b)* surgeons and *(c)* nurses are presently serving in the Gulf; and what proportion of the total number of national health service doctors, surgeons and nurses this represents.

Mr. Dorrell: This information is not available centrally.

Iran-Iraq War Casualties

Mr. Hinchliffe: To ask the Secretary of State for Health how many persons injured during the Iraq-Iran war were treated in the United Kingdom; and how many of these were affected by chemical and biological weapons.

Mr. Dorrell: This information is not available.

Residential Homes

Mr. Rowe: To ask the Secretary of State for Health how much money was spent by *(a)* regional and *(b)* district health authorities on building nursing and residential homes for (i) the elderly, (ii) the mentally ill and (iii) the disabled in each of the last five years; and what was the average cost per place in each category.

Mr. Dorrell: This information is not collected centrally.

Water-Borne Pathogens

Mrs. Ann Taylor: To ask the Secretary of State for Health if there has been evidence of increased reporting of any potentially water-borne pathogens in the Severn-Trent area in the last three months.

Mr. Dorrell: No such evidence has been recorded by the public health laboratory service.

Cold-related Deaths

Mr. Nellist: To ask the Secretary of State for Health if he will produce a table to show, for each month of the last five years, the number of men aged 65 years and over, and women aged 60 years and over, who had died from *(a)* cold-related causes and *(b)* all causes, and for each of the last 20 years, for each quarter, the same information.

Mr. Dorrell: The information requested could be provided only at disproportionate cost.

Hip Replacement

Mr. David Porter: To ask the Secretary of State for Health what is the average cost of in-patient treatment per hospital bed per week for a hip replacement operation; what is the total spent on such operations in the last year for which figures are available; and if he will make a statement.

Mr. Dorrell *[holding answer 11 February 1991]:* The cost of a hip replacement is estimated to be £2,780 at 1989-90 prices. Since this cost is dependent on the length of patient's stay no meaningful average hospital in-patient cost can be given. During 1989-90 some 45,000 hip replacement operations were performed at an estimated total cost of £125·3 million.

NORTHERN IRELAND

Hazardous Waste

Mr. Hume: To ask the Secretary of State for Northern Ireland, whether the Northern Ireland Environment Minister has reached an agreement or understanding with the Irish Republic's Environment Minister regarding the siting of a hazardous waste incinerator at Maydown.

Mr. Needham: No.

Mr. Hume: To ask the Secretary of State for Northern Ireland what is his policy on whether planning permission would be given to any hazardous waste incinerator in Northern Ireland without referral to a public inquiry.

Mr. Needham: Each planning application is treated on its merits depending on the scale and type of development proposed. A planning application for a major development involving a hazardous waste incinerator would not be determined without a public inquiry being held under the terms of article 22 of the Planning (Northern Ireland) Order 1972.

Pensioners

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether he will seek to have higher costs to pensioners living in Northern Ireland reflected in higher pension rates for Northern Ireland pensioners.

Mr. Hanley: No. It is the Government's policy to maintain social security benefits at the same level throughout the United Kingdom.

Disabled Workers

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how many employers with 20 or more people employ a 3 per cent. quota of registered disabled people.

Mr. Needham *[holding answer 15 February 1991]:* In June 1990, 291 employers with 20 or more people were known to employ a 3 per cent. quota of registered disabled people.

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland what grants are available for employers in Northern Ireland to enable handicapped people to operate machinery.

Mr. Needham *[holding answer 15 February 1991]:* The adaptations of premises and equipment scheme administered by the disablement advisory services of the Training and Employment Agency, provides financial assistance to those employers who need to make essential alterations to machinery and equipment to facilitate their disabled employees.

Severe Weather Payments

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland, pursuant to the answer from the Secretary of State for Social Services to the hon. Member for Nottingham, North (Mr. Allen) on 7 February 1991, *Official Report*, column *251*, whether the changes to the cold weather payment scheme apply to Northern Ireland; and if he will make a statement.

Mr. Hanley *[holding answer 15 February 1991]:* I am glad to be able to confirm that payments of £6 will be made on the same basis as in Great Britain.

WALES

European Regional Development Fund

12. **Mr. Knox:** To ask the Secretary of State for Wales what is the total value of grants which Wales has received from the European regional development fund in each of the past three years.

Mr. David Hunt: Figures for European regional development fund assistance committed to Wales in each of the last three years are as follows: 1988 £63·3 million; 1989 £28·8 million; and 1990 £27·4 million.

Recession

13. **Mr. Michael:** To ask the Secretary of State for Wales what assessment he has made of the impact of the current recession on business and employment in Wales.

Mr. David Hunt: It is encouraging that the Government's policy of fighting inflation is working and although the economy of Wales, like the rest of the United Kingdom, is experiencing a difficult time at present, all the indications suggest that the medium to long-term prospects for the Welsh economy are as good as ever.

Welsh Language

14. **Mr. Butler:** To ask the Secretary of State for Wales what progress has been made with the implementation of the national curriculum in respect of the Welsh language.

Sir Wyn Roberts: Implementation of Welsh in the national curriculum is proceeding to timetable.

Mr. Wigley: To ask the Secretary of State for Wales how many teachers are employed full time in Wales teaching the Welsh language to adults; and if he will make a statement.

Sir Wyn Roberts: This information is not held centrally.

Mr. Wigley: To ask the Secretary of State for Wales what is his estimate of the total annual expenditure incurred by public authorities in Wales in teaching the Welsh language to adults.

Sir Wyn Roberts: Information on the expenditure by local authorities on Welsh classes for adults is not held centrally. However, in 1990-91 Welsh Office grants worth £428,000 were made available to a range of organisations to support activities in this field.

Mr. Wigley: To ask the Secretary of State for Wales what steps he is proposing to take to implement the draft

Welsh Language Bill prepared by the Welsh Language Board, and which has been submitted to him; and if he will make a statement.

Sir Wyn Roberts: The Welsh Language Board's proposals for legislation will be carefully considered and the Government's response will be announced in due course.

Mr. Wigley: To ask the Secretary of State for Wales what studies have been undertaken by the Welsh Office of techniques and methods of teaching the Basque language to non-Basque-speaking adults in the Basque country.

Sir Wyn Roberts: None.

CBI

15. **Mr. Murphy:** To ask the Secretary of State for Wales if he plans to meet the CBI in Wales to discuss the economic situation in the Principality.

Mr. David Hunt: I meet representatives of the CBI in Wales regularly to discuss a wide range of issues relevant to the development of the Welsh economy.

Labour Statistics

16. **Mr. Martyn Jones:** To ask the Secretary of State for Wales how many people are now out of work in *(a)* Clwyd and *(b)* Wales.

Mr. David Hunt: In January 1991 there were 11,383 and 101,452 unemployed claimants in Clwyd and Wales respectively.

21. **Dr. Marek:** To ask the Secretary of State for Wales if he will give the latest percentage figures he has for unemployment in the Wrexham travel-to-work area and in Wales as a whole.

Mr. David Hunt: Unemployment in the Wrexham travel-to-work area currently stands at 6·4 per cent. of the work force compared with a figure in Wales as a whole of 7·8 per cent.

Investment

17. **Mr. Rowlands:** To ask the Secretary of State for Wales when he next proposes to meet the chairmen of the major clearing banks to discuss future investments in companies in Wales.

Mr. David Hunt: I meet the major clearing banks periodically to discuss a range of matters, including progress of the Welsh economy.

18. **Mr. Cran:** To ask the Secretary of State for Wales by what amount inward investment in Wales has increased over the last five years for which figures are available.

Mr. David Hunt: There has been a 75 per cent. increase in the number of inward investment projects secured for Wales over the past five years. In 1990, 142 projects were secured, promising some 16,000 jobs and capital investment of almost £640 million.

Renal Units

19. **Mr. Win Griffiths:** To ask the Secretary of State for Wales whether he has any plans to develop the services provided by renal units in 1991-92.

Mr. Nicholas Bennett: Following wide consultation on the future of regional services in Wales, the development of renal services will, from April, fall to district health authorities subject to monitoring by the Department.

Hospitals (Construction Projects)

20. **Dr. Kim Howells:** To ask the Secretary of State for Wales if he will list all the major construction projects on district general hospitals, currently under way or due to start, which are funded wholly or partly by moneys allocated to district health authorities by the Welsh Office.

Mr. Nicholas Bennett: The number of projects is shown in the following table:

Major construction projects costing over £1 million on district general hospital sites

Health district	*Project*
Under construction, Clwyd	Ysbyty Glan Clwyd—Phase 2
	Ysbyty Maelor Wrexham—Phase 2
East Dyfed	West Wales General Hospital—Upgrading
Mid Glamorgan	Prince Charles Hospital—Phase 2
	East Glamorgan General Hospital—Geriatric Unit
South Glamorgan	University Hospital of Wales—Paediatric Cardiac Unit
	Cardiac Catheter Laboratories
	Upgrading Intensive Care and Coronary Care Unit
	Replacement Energy Sources
West Glamorgan	Singleton Hospital—West Ward Block
	Staff Residences
	Morriston Hospital—School of Nursing

Foreign Languages

22. **Mr. Alex Carlile:** To ask the Secretary of State for Wales how many pupils from state schools in Wales passed with A, B or C grades in French, German or Spanish A-level in each of the years 1987 to date; and if he will make a statement.

Sir Wyn Roberts: In 1990 a total of 614 advanced-level certificates were issued by the Welsh Joint Education Committee in grades A to C in French, German and Spanish to school pupils in Wales.

The detailed information is as follows:

Grade	*1987*	*1988*	*1989*	*1990*
French				
A	61	67	91	92
B	111	93	109	144
C	132	124	184	207
German				
A	27	33	24	39
B	53	49	39	42
C	35	36	40	65
Spanish				
A	6	9	9	8
B	10	11	18	11
C	10	12	8	6

Hospital Waiting Lists

23. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales what progress has been made during this financial year in reducing hospital waiting lists.

Mr. Nicholas Bennett: Detailed information on waiting lists at September 1990 will be published soon which I fully expect to show that Welsh hospitals continue to treat record numbers of patients. Since 1979 in-patient and out-patient attendance has increased by some 34 per cent. and 28 per cent. respectively.

Local Government Finance

24. **Mr. Flynn:** To ask the Secretary of State for Wales what changes he plans in the method of distributing transitional payments for poll tax reductions.

Mr. David Hunt: I have no plans for changing the arrangements for distributing the relief payments totalling £62 million under the community charge reduction scheme, which I announced in the House in my statement of 17 January. These arrangements, taken together with the realistic local government finance settlement for Wales in 1991-92, represent an excellent deal for the Welsh charge payer.

Mr. Grist: To ask the Secretary of State for Wales if he is now in a position to announce his decisions on the allocation of the £18 million additional resources he announced on 17 January.

Mr. David Hunt: I shall be announcing today details of an £8·14 million increase in local authority capital provision.

I propose to allocate transport grants totalling £6 million for road improvements in Mid and West Glamorgan. PRNI (projects of regional and national importance) funding of £400,000 will also be made available for new rolling stock on the city line in Cardiff.

I have also decided to provide substantial additional resources for the urban programme. A further £1,745,000 will be directed to a range of projects including £275,000 each for the establishment of small business units at Shotton enterprise centre and provision of an all-weather playing surface at Deep Duffryn. A total of £250,000 will be spent on road improvements at Crumlin and £345,000 for highway and environmental programmes in Cardiff. I shall also be providing £100,000 for the purchase of land and the construction of factory units at Holyhead. Finally, I have been encouraged by the excellent response we have received to the valleys community revival scheme. I have therefore decided that, in order to make room for further, worth while projects, an extra £500,000 should be awarded under the scheme.

I shall announce further details of local authority capital provision as soon as possible.

Housing, Swansea

25. **Mr. Anderson:** To ask the Secretary of State for Wales whether he will discuss with Swansea city council special assistance towards the problems of prefabricated reinforced concrete houses, in particular, and the future housing role of Welsh local authorities.

Mr. Nicholas Bennett: I understand that a consultants' report on the matter has only recently been made available to the council for consideration. I have no doubt that discussions involving my officials will follow. I look to this local authority and to all others to act as effective enablers in tackling housing functions working in close partnerships with housing associations and the private sector.

Hill Livestock Compensatory Allowances

26. **Mr. Livsey:** To ask the Secretary of State for Wales if he will make a statement about the payment to farmers of hill livestock compensatory allowances.

Mr. David Hunt: I announced the substantial increases proposed for HLCA rates—worth an extra £4·7 million to Welsh farmers—on 11 February. Claim forms have previously been issued to farmers and my officials will be giving the highest priority to the processing of these claims. Subject to parliamentary approval of the new rates and the necessary checks farmers in Wales will receive their money as quickly as possible.

Dairy Cattle

Mr. Wigley: To ask the Secretary of State for Wales how many dairy cows there were in Wales in 1988 and 1989; and what information he has on the corresponding figures for the Irish Republic, Denmark and Spain.

Mr. David Hunt: The information requested is shown in the table:

thousand head

	Number of dairy cows in December	
	1988	*1989*
Wales	336	331
Irish Republic	1,387	1,400
Denmark	764	770
Spain	1,741	1,822

Common Agricultural Policy Payments

Mr. Denzil Davies: To ask the Secretary of State for Wales how much the total payments received by the agricultural industry in Wales were under the common agricultural policy in each of the last three years.

Mr. David Hunt: Total expenditure in the United Kingdom under the common agricultural policy in the last three years was:

	£ million
1987-88	1,611·1
1988-89	1,362·9
1989-90	1,230·5

Although it is possible to identify some of the payments which have been made to the agriculture industry in Wales—details are contained in the annual appropriation accounts, class XVII, votes I and II, Wales—it is not possible to disaggregate all United Kingdom common agricultural policy expenditure in this way.

Export Clinics

Mr. Denzil Davies: To ask the Secretary of State for Wales how many of the export clinics held under the Welsh Office valleys export service have been held in the Llanelli travel-to-work area.

Mr. David Hunt: Thirty-three export services clinics have been held in the valleys programme area: three of them have been held within the Llanelli travel-to-work area, with two further clinics at Pontardulais, which is easily accessible to companies based in the Llanelli area. A further clinic at Llanelli itself is scheduled for the programme in the coming quarter.

Valleys Loan Scheme

Mr. Denzil Davies: To ask the Secretary of State for Wales how many projects located in the Llanelli travel-to-work area have benefited from the Welsh Development Agency valleys loan scheme for small businesses.

Mr. David Hunt: There have been no applications from the Llanelli travel-to-work area for the Welsh Development Agency's valleys small loans scheme. Other Welsh Development Agency loans in the Llanelli area since the inception of the valleys programme total £36,000.

Hospitals (Postal Services)

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairmen of the South Glamorgan and Mid Glamorgan health authorities concerning the frequency of misdirected post, samples and medical records between the Prince of Wales hospital, Rhydlafar, the Prince of Wales hospital, Bridgend and the Prince Charles hospital, Merthyr.

Mr. Nicholas Bennett: This is a matter for the health authorities concerned which advise that they are not aware of any such problems.

Surplus School Places

Mr. Gareth Wardell: To ask the Secretary of State for Wales if any changes have been made or are proposed to the criteria for determining the capacity of schools as laid down in Welsh Office circular 20/88.

Sir Wyn Roberts: Welsh Office circular 20/88 includes a suggested method for determining the capacity of primary schools. We are currently consulting education interests in Wales on draft proposals to introduce more open enrolment into primary schools from the start of the 1992 school year. The proposals include an alternative formula for calculating the capacity of primary schools. More open enrolment for secondary schools was introduced with effect from 4 August 1990. Welsh Office circular 47/88 contains an annex suggesting a method for calculating capacity in these schools.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish the current level of surplus places in each local education authority in Wales separately distinguishing primary and secondary schools.

Sir Wyn Roberts: The information requested is as follows:

	Surplus places	
	Primary	*Secondary*
Clwyd	11,151	2,913
Dyfed	9,178	2,089
Gwent	10,009	10,527
Gwynedd	4,469	4,412
Mid Glamorgan	13,663	7,556
Powys	3,096	1,477
South Glamorgan	12,196	8,907
West Glamorgan	14,213	7,496

TRANSPORT

Drink Driving

Mr. Peter Bottomley: To ask the Secretary of State for Transport if he will estimate the numbers of random breath tests required to detect each week *(a)* 1,000 drivers above twice the legal alcohol limit, *(b)* 1,000 drivers above the legal limit but below twice the limit, and *(c)* 50,000 drivers below the legal limit.

Mr. Chope: Data from the roadside surveys undertaken by the transport and road research laboratory in 1990 indicate that the following numbers of tests would be required:

(a) 625,000
(b) 116,000
(c) 50,500

These surveys were carried out on Thursday, Friday and Saturday nights—the high-risk periods for drink-driving. They are, therefore, likely to underestimate the number of tests required to detect drivers over the legal limit at other times.

Vehicle Emissions

Ms. Walley: To ask the Secretary of State for Transport (1) which of those organisations that responded to the consultation document of 20 September 1990 were in favour of tighter MOT emission standards than those outlined;

(2) further to his reply of 22 January, *Official Report*, column *111*, if he will discuss with the European Commission the future introduction of MOT motor vehicle emission standards based on individual manufacturers' specifications.

Mr. Chope: A number of those consulted suggested tighter emission standards than those proposed or limits based on manufacturers' settings. The EC type approval directive on emissions precludes the setting of standards which are stricter than those to which vehicles were required to conform when new. But, as many vehicles are capable of achieving emission levels well within the limits which will be set in the regulations, we have made it clear that motorists should aim to have their vehicles tuned to manufacturers' settings wherever possible.

The standards we have proposed are intended to be a first step in in-service emissions checking, and standards will be progressively tightened in the future. The European Commission has already initiated discussions with member states on harmonised standards for emission testing. If resulting European legislation permits us to test to manufacturers' settings we shall consider the matter further.

Ms. Walley: To ask the Secretary of State for Transport (1) further to his reply of 22 January, *Official Report*, column *111*, when he now plans to sign enabling regulations relating to MOT motor vehicle emission standards; and if he will make a statement;

(2) what assessment he has made of MOT vehicle test emission standards; and if he will make a statement.

Mr. Chope: I refer the hon. Member to the answer given to my hon. Friend the Member for Barrow and Furness (Mr. Franks) on 13 February, at column *464*.

Ms. Walley: To ask the Secretary of State for Transport (1) if he will incorporate manufacturing design standards into a servicing schedule for cars;

(2) if he will introduce an effective system for checking pollution from vehicles on the road, including those under three years of age.

Mr. Chope: Proper engine tuning is important for all vehicles, including those less than three years old. All motorists are well advised to ensure that their engine tuning is checked when they have their vehicles serviced. We are encouraging vehicle manufacturers to consider including engine tuning in routine service schedules.

Ms. Walley: To ask the Secretary of State for Transport what roles he has assigned to *(a)* local authorities, *(b)* the vehicle inspectorate and *(c)* the police in on-the-road checks for pollution control; and if he will make a statement.

Mr. Chope: The new in-service emission standards will be enforced primarily at MOT tests under the supervision of the vehicle inspectorate. In due course I envisage an increasing role for both the vehicle inspectorate and the police in roadside spot checks on emissions.

Ms. Walley: To ask the Secretary of State for Transport if he will introduce legislation to ensure that dedicated equipment for carbon monoxide testing is used in MOT testing; and if he will introduce a British standard for such equipment.

Mr. Chope: We are making arrangements to ensure that all types of emission-checking equipment which will be used in MOT testing have been certified to appropriate standards. As there is currently no British standard for such equipment, we are requiring that equipment should be designed and certified to the established international standard or an equivalent. I hope that the United Kingdom will play an active role in any further development of current equipment standards. Emission-checking equipment will not have to be dedicated to MOT testing, but we shall expect MOT test stations to have approved equipment available in MOT test bays whenever tests are being conducted.

Trains, London

Mr. Spearing: To ask the Secretary of State for Transport if he will make a statement concerning the current extent of one-person operation on the trains of the British Railways Board in the London travel-to-work area, the changes that have occurred since 1979, and those projected by the board.

Mr. Freeman: Many trains on routes into London and elsewhere are now one-person operated. Further extensions of one-person operation are an operational matter for the board and depend on various factors including the availability of suitable rolling stock and associated safety features such as cab radio.

Racism

Mr. Cohen: To ask the Secretary of State for Transport if he will call for a report from London Underground Ltd. on its response to the findings of the Commission for Racial Equality about the use of racist tests in appointing middle managers; and if he will make a statement.

Mr. Freeman: I understand that London Underground Ltd. has already revised its selection methods and introduced equality targets for ethnic minority representation at all levels in the company. The Commission for Racial Equality has commented:

"The solutions introduced by London Underground serve a possible model for other employers".

Railway Drivers

Mr. Spearing: To ask the Secretary of State for Transport if he will request Her Majesty's railway inspectorate to survey the incidence of resignation or early retirement of railway drivers over the last 10 years, together with any matters related thereto.

Mr. Freeman: This is a matter for railway operators.

Driving Tests

Miss Emma Nicholson: To ask the Secretary of State for Transport if he will make it his policy that only Department of Transport-approved driving instructors will be allowed to undertake the retesting of convicted drunken drivers.

Mr. Chope: Our proposals for the retesting of certain disqualified drivers are set out in the Road Traffic Bill. The new extended tests will be carried out only by the Department's driving examiners.

Private Contractors

Mr. Amos: To ask the Secretary of State for Transport how much private contractors are charged when their construction and demolition work for private concerns blocks or hinders the public highway and pavements.

Mr. Chope: Under part IX of the Highways Act 1980, any person carrying out building or demolition work who places any scaffolding, other structure, hoarding, fence, builders' skip, or building materials which obstructs the highway is required to obtain a licence, permission or consent from the highway authority, and to comply with its terms. The highway authority does not have power to charge for occupation of the highway. The New Roads and Street Works Bill before Parliament includes an amendment to the Highways Act 1980 which would enable fees to be prescribed for the occupation of the highway in such circumstances.

Parking

Mr. Burns: To ask the Secretary of State for Transport what legislation governs the illegal parking of vehicles partly or wholly on pavements; what the maximum penalty is for committing such an offence; and if he will make a statement.

Mr. Chope: There is no uniform national provision which prohibits pavement parking.

The parking of heavy goods vehicles over 7·5 tonnes gross weight on the pavement, except when necessary for loading or unloading is an offence under section 19 of the Road Traffic Act 1988 and is subject to a standard fixed penalty notice—£16—or a maximum level 3 fine. London and a few provincial cities have taken equivalent local Act powers to extend this offence to other vehicles.

The latent power in paragraph 22 of schedule 2 to the Road Traffic (Consequential Provisions) Act 1988 which, if commenced, would introduce a new national offence of parking a vehicle, other than a heavy goods vehicle, on the verge of an urban road, or on the footway or on any land situated between two carriageways on an urban road is being repealed by the Road Traffic Bill.

I refer my hon. Friend to the answer given to the hon. Member for Bradford, South (Mr. Cryer) on 11 December 1990, at column *344*.

East London River Crossing

Mr. Cartwright: To ask the Secretary of State for Transport when he now expects construction of the east London river crossing to start; and what is his latest estimate of the construction period.

Mr. Chope: The programme for construction depends on completion of the statutory procedures. Subject to that, the current timetable is for construction to start in 1992 and finish by 1996.

Blighted Homes

Sir John Stanley: To ask the Secretary of State for Transport what is his policy on the use of his discretionary powers to buy, in advance of statutory blight provisions becoming operable, homes that are blighted by the announcement of proposed new road works; and what criteria he adopts in deciding which homes he will buy.

Mr. Chope: Where there is a genuine possibility that any part of a property may be required for one of our highway schemes, we are empowered to consider advance acquisition under section 248 of the Highway Act 1980. For owner-occupied residential property the criteria against which each application for purchase is considered are:

(a) a compelling reason for wishing to sell immediately, other than the prospect of the highway scheme;
(b) the reason why a sale cannot be achieved except as a discount is because of the road proposal; and
(c) serious financial hardship would result if the Department did not buy.

Sir John Stanley: To ask the Secretary of State for Transport under what statutory powers his Department is currently purchasing homes that are blighted by the proposal to widen the M20 between junctions 3 and 5.

Mr. Chope: The majority of properties have been purchased under the blighted land provisions of the Town and Country Planning Act 1990 contained in paragraph 16 of schedule 13. A few have been the subject of discretionary purchase under section 248 of the Highways Act 1980.

Sir John Stanley: To ask the Secretary of State for Transport whether personal hardship is a factor that he takes into account in deciding whether to use his discretionary powers to buy, in advance of statutory blight provisions becoming operable, homes that are blighted by the announcement of proposed new road works.

Mr. Chope: Yes, for those homes where there is a genuine possibility that part of the land may be required for proposed new road works.

Sir John Stanley: To ask the Secretary of State for Transport if he will specify the legislative provisions that give him statutory powers to buy, in advance of statutory blight provisions becoming operable, homes that are blighted by the announcement of proposed new road works.

Mr. Chope: Section 248 of the Highways Act gives my right hon. and learned Friend the Secretary of State power to acquire, at his discretion, property not immediately required for road purposes but which in his opinion may be so required.

Cyprus Airways

Mr. Michael: To ask the Secretary of State for Transport (1) what assessment he has made of the impact of free sale arrangements offered by Cyprus Airways, as a result of subsidies by the Cyprus Government, on British operators;

(2) what discussions have been held with the Government of Cyprus on the implications for fair competition of the subsidy given by that Government to Cyprus Airways.

Mr. McLoughlin: My Department holds regular talks with representatives of the Government of Cyprus on all aspects of our bilateral aviation relationship. We are always prepared to consider any complaint from British airlines who believe they may be facing unfair competition.

Airline Companies

Mr. Michael: To ask the Secretary of State for Transport if he will approach the European Commission to seek assistance for airline operators in Europe in order to survive the impact of the Gulf war, to be given in such a way as to ensure that British companies are operating on a level playing field both inside and outside Europe.

Mr. McLoughlin: The EC Commissioner for competition has already indicated that if Governments wish to make subsidies available to their airlines, the Commission will be concerned to ensure that competition is not unduly distorted to the detriment of consumers and of airlines whose governments do not think that giving subsidies is an appropriate response to current problems. The Government welcome this approach.

Mr. Michael: To ask the Secretary of State for Transport what processes are available for reconsideration of licences where a foreign government are subsidising their national airline in such a way as to offer unfair competition to United Kingdom operators.

Mr. McLoughlin: Within the European Community, subsidies are governed by the treaty of Rome rules. Outside the EC, the effect of subsidies to national airlines on competition would fall to be considered under the terms of individual bilateral arrangements between the United Kingdom and other countries.

Mr. Michael: To ask the Secretary of State for Transport what assessment he has made of the Government subsidy provided to the airline Sabena during

the Gulf crisis on *(a)* British airlines with which it is in competition and *(b)* the creation of a level playing field in air transport within Europe and worldwide.

Mr. McLoughlin: I understand that while Sabena has said that it would like a subsidy, the Belgian Government have not announced that they will give one. Any proposal for state aid by EC member states to national airlines would have to be notified to the EC Commission, which would be concerned to ensure that there is no undue distortion of the competition in the aviation market.

Mr. Michael: To ask the Secretary of State for Transport (1) whether he will make arrangements *(a)* to facilitate extended credit for United Kingdom air operators and *(b)* to provide direct financial assistance to small airlines to enable them to absorb the impact of the Gulf war;

(2) what assessment he has made of the impact on *(a)* fair competition and *(b)* British air operators of fuel subsidies offered by foreign Governments to their operators; and if he has any plans to help United Kingdom operators in this respect.

Mr. McLoughlin: It is for airlines themselves to respond to changing market conditions in the light of their commercial judgment.

Mr. Michael: To ask the Secretary of State for Transport whether he will arrange for Civil Aviation Authority charges to be waived or deferred in order to safeguard the position of United Kingdom operators during the Gulf war.

Mr. McLoughlin: I have no plans to do so.

Semtex

Mr. Flynn: To ask the Secretary of State for Transport if the security systems installed at United Kingdom airports to which he refers in his reply to the hon. Member for Newport, West of 8 February, *Official Report*, column 255, are able to detect Semtex explosives in addition to detonation devices in bombs.

Mr. McLoughlin: I am not prepared to reveal details of security systems or their capabilities.

Showmen's HGVs

Mr. Lewis: To ask the Secretary of State for Transport what specific restrictions in respect of the carriage of goods apply to vehicles in taxation class, "Restricted Showman's HGV".

Mr. Chope *[holding answer 15 February 1991]:* A showman's goods vehicle is a vehicle permanently fitted with a living van or some other special type of body or superstructure, forming part of the equipment of a travelling show. The vehicle must be registered in the name of a person who follows the business of a travelling showman and used solely for that purpose. This means that the only goods to be carried must be directly related to the occupation of travelling showman. The restricted showman's HGV class applies to such vehicles which, although over 3,500 kg gross vehicle weight, cannot be taxed according to their plated weight because they are exempt from plating and testing.

MOT Test

Mr. Lewis: To ask the Secretary of State for Transport if he will list the categories of road vehicles exempt from the three-yearly MOT test.

Mr. Chope *[holding answer 15 February 1991]:* Exemptions from the MOT test are listed in regulation 6 of the Motor Vehicles (Tests) Regulation 1981, No. 1694, as amended. I refer the hon. Member to page 7524/1 of the "Encyclopedia of Road Traffic Law and Practice" volume 3, a copy of which is in the Library.

Greater Manchester Relief Road

Mr. Lewis: To ask the Secretary of State for Transport when he expects to publish the details he has received of a proposed alternative route for the Greater Manchester northern and western relief road.

Mr. Chope *[holding answer 15 February 1991]:* I refer the hon. Member to my reply to my hon. Friend the Member for Bury, South (Mr. Sumberg) on 11 February at column *308*.

LORD PRESIDENT OF THE COUNCIL

Privy Council

Mr. Cohen: To ask the Lord President of the Council (1) on what basis briefings are made on a Privy Council basis;

(2) on what basis decisions are made on a Privy Council basis that are not subsequently explicitly approved by Parliament.

Mr. MacGregor: It is not the practice to disclose information on this subject.

HOUSE OF COMMONS

Video Facility

Ms. Walley: To ask the Lord President of the Council if he will make immediate temporary arrangements to enable hon. Members to have access to a dedicated video viewing facility whenever the House is sitting.

Mr. MacGregor: It has been agreed by the Services Committee that a dedicated video viewing facility is to be established in the House and will be run by the Library. That facility is expected to be available in the autumn. It is unlikely that any arrangement, other than that which already exists in the television viewing rooms, can be identified before that time.

FOREIGN AND COMMONWEALTH AFFAIRS

Soviet Union

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations have been made in respect of Georgy Molodchikov of Kiev who has been unsuccessfully applying to leave the Soviet Union;

(2) what representations have been made in respect of Emil Tsilpen of Moscow who has been unsuccessfully applying to leave the Soviet Union;

(3) what representations have been made in respect of Ruben Ustayev of Tashkent who has been unsuccessfully applying to leave the Soviet Union.

Mr. Douglas Hogg: We can certainly raise these cases with the Soviet authorities, but in order to make our representations most effective we shall need further details.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made in respect of Elena Morgulis of Sverdlovsk who has been unsuccessfully applying to leave the Soviet Union.

Mr. Douglas Hogg: Mrs. Morgulis' case has been added to the list of cases which we regularly raise with the Soviet authorities. We shall continue to press all these cases until a satisfactory outcome is achieved.

United Nations

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on the United Nations optional protocol on civil and political rights.

Mr. Lennox-Boyd: As we have accepted the right of individual petition under the European convention on human rights and the compulsory jurisdiction of the European Court, we have accepted the strongest available mechanism for individual petition available to us and therefore need not accept that offered by the optional protocol.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests for action to be taken have been made to the Security Council of the United Nations, under chapter VII of the United Nations charter, following the allied bombing of Iraqi nuclear facilities.

Mr. Douglas Hogg: None.

Foreign Visitors (Safety)

Sir Eldon Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's embassies and consulates are taking to assure intending visitors to the United Kingdom and tourist operators that it is safe to come here.

Mr. Lennox-Boyd: British missions overseas are advising intending travellers that it is safe to visit the United Kingdom although visitors should of course take all normal precautions. Posts are reassuring travellers that security precautions have been increased, particularly around airports.

Disarmament Conference

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by Her Majesty's Government's representatives to the conference on disarmament concerning the consequences of military attacks on civil nuclear facilities.

Mr. Douglas Hogg: None.

International Labour Adviser

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will publish the manning level of the international labour adviser's Department and the comparable figures for five, 10 and 25 years ago;

(2) what are the functions of the international labour adviser in his Department;

(3) if he will make a statement about the future of his office's international labour adviser's Department.

Mr. Lennox-Boyd: The manning levels including support staff, for the office of international labour adviser are as follows:

	Staff
1991	3
1986	3
1981	5
1966	8

Two reviews have recently been carried out on the need for a separate office of ILA. The conclusion endorsed by Ministers was that retention is no longer justified.

The function of the ILA has been liaison between United Kingdom Government Departments, overseas posts, FCO departments and British trade union organisations on international labour and social questions, and to offer advice as necessary.

Occupied Territories

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the extent to which the Israelis are using the cover of hostilities to increase the settlement of the occupied territories.

Mr. Douglas Hogg: We have no information to suggest that settlement activity has intensified since the beginning of hostilities.

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the living conditions in the occupied territories; and if he will make a statement.

Mr. Douglas Hogg: We have seen a worrying decline in living standards in the occupied territories since the Gulf crisis began. We are particularly concerned at the impact of the continuing curfew and have made our views known to the Israeli authorities.

Equatorial Guinea

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made since 1979 to the Government of Equatorial Guinea concerning the abuse of human rights in that country.

Mrs. Chalker: The United Kingdom and Equatorial Guinea do not maintain resident missions in each other's capitals. Relations are minimal and contacts few. We have made no representations to the Government of Equatorial Guinea on human rights.

BBC World Service

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that the extra costs incurred by the BBC World Service in performing additional tasks as a result of the Gulf war will be met by Her Majesty's Government.

Mr. Lennox-Boyd: I refer my hon. Friend to the reply I gave on 1 February to my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot) which stated that the cash limit for class II, vote 3 (external broadcasting and monitoring) would be increased by £4,760,000. Of this sum £1,160,000 will be devoted to extra expenditure incurred in this financial year as a result of the Gulf war. The remaining costs of extra broadcasting to the end of this financial year are being met from existing Foreign and Commonwealth Office funds.

The Gulf

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what policy objectives with regard to the Gulf war have been discussed with or agreed with Israel.

Mr. Douglas Hogg: Our objectives are those of the United Nations Security Council; to eject Iraqi forces entirely from Kuwait; to restore the legitimate Government of Kuwait; and to restore international peace and stability to the region. We believe the Israelis share them.

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the considerations underlying the policy of deferring steps to resolve the Arab-Israeli dispute until the conclusion of the conflict in the Gulf.

Mr. Douglas Hogg: The Iraqi occupation of Kuwait has created a situation in which it is not realistic to expect progress on Arab-Israel. We regret this. But it is the fault of Saddam Hussein, who has gravely damaged the Palestinian cause. We shall return to this problem with renewed vigour as soon as Iraq has left Kuwait.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the economic effects on less-developed countries of the Gulf war.

Mr. Douglas Hogg: I refer the hon. Member to the reply given by my right hon. Friend the Minister for Overseas Development to the hon. Member for Bristol, South (Ms. Primarolo) on 3 December 1990 at coloumn *18*. The assessment is still complicated by uncertainty over the future level of oil prices, which have fallen significantly in recent weeks.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government are taking to ensure humanitarian needs within Iraq can be met by international agencies.

Mr. Douglas Hogg: As I informed the House on 8 February, we have been in close contact for several months with the United Nations humanitarian agencies and with the International Committee of the Red Cross about contingency planning for the Gulf crisis.

The United Nations Disaster Relief Organisation has co-ordinated contingency plans for dealing with refugees and displaced persons from Kuwait and Iraq with the other relief organisations. We have pledged some £3 million to this and the International Committee of the Red Cross's appeals, further to the £11 million pledged bilaterally and through the European Community last year.

The International Committee of the Red Cross has sent two consignments of medicines to Baghdad. The World Health Organisation (WHO) and UNICEF are sending further medical supplies.

It is for the United Nations Sanctions Committee to determine whether a humanitarian case for food supplies for Iraq (and Kuwait) exists. So far the sanctions committee has been unable to take a position due to the lack of an independent assessment.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what further information he has about atrocities committed by Iraqi soldiers in Kuwait; and if he will make a statement.

Mr. Douglas Hogg: Recent information from inside Kuwait shows that the Iraqis continue to carry out a regime of arrests and tortures similar to that graphically described in the Amnesty International reports of October and December last year. Kuwaiti and foreign residents, including women and children, are being tortured and executed for offences such as carrying opposition literature or refusing to display portraits of Saddam Hussein. Recently reports have been received of an incident involving the hanging of a number of women.

Weapons Technology

Mr. Churchill: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his European Community counterparts to reach an accord that would effectively prevent European firms from providing technology and equipment that would enable another country to acquire weaponry of mass destruction.

Mr. Douglas Hogg: We and our partners in the Twelve regularly discuss measures to combat the proliferation of weapons of mass destruction. The European Council in Rome in December 1990 identified non-proliferation as a possible area for intensified co-ordination among the Twelve.

Ivory

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs how many spot checks have been made by the Hong Kong authorities on ivory-holding premises since 19 October 1990; and if any irregularities were discovered.

Mr. Lennox-Boyd *[holding answer 1 February 1991]:* A total of 142 spot checks have been made by the Hong Kong authorities on ivory-holding premises since 19 October 1990. No irregularities were discovered.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current number of possession licences issued to holders of ivory stocks in Hong Kong.

Mr. Lennox-Boyd *[holding answer 1 February 1991]:* As at 31 January 1991, there were 983 possession licences held by 868 commercial ivory stockholders in Hong Kong.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current total of all ivory known to be held in Hong Kong; and on what date it was assessed.

Mr. Lennox-Boyd *[holding answer 1 February 1991]:* When last assessed on 17 July 1990, the total commercial ivory stock held in Hong Kong was 463 tonnes to the nearest tonne.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if the information on countries of origin of tusks held in Hong Kong has been forwarded to the World Wide Fund for Nature.

Mr. Lennox-Boyd *[holding answer 1 February 1991]:* Information on the countries of origin of tusks held in Hong Kong was forwarded to WWF Hong Kong on 1 February 1991.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if any ivory has been confiscated by the Hong Kong authorities since 17 October 1990; and if any prosecutions for illegal export have been entered since that date.

Mr. Lennox-Boyd *[holding answer 1 February 1991:* A total of 20·1 kg of worked ivory was seized by the Hong Kong authorities between 17 October 1990 and 31 January 1991. This ivory will be confiscated if the prosecutions to be entered result in convictions. During the period, one prosecution for illegal exportation involving 10,091 pieces of ivory name seals and blocks seized in Japan was entered and was successful.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of ivory exported from Hong Kong since midnight on 17 July 1990.

Mr. Lennox-Boyd *[holding answer 1 February 1991]:* Since midnight on 17 July 1990, Hong Kong has fully complied with the requirements of CITES in respect of trade in African elephant ivory. Since that date there have been no exports of ivory except as expressly provided for under the convention.

Endangered Species

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give details of items from endangered species seized by the Hong Kong authorities in the second half of 1990 and the prosecutions arising from such seizures.

Mr. Lennox-Boyd *[holding answer 1 February 1991]:* In the second half of 1990, the Hong Kong authorities seized a wide variety of specimens of endangered species, from which 54 prosecutions arose. Details are as follows:

Seizure of Endangered Species (1 July 1990 to 31 December 1990)

Species	
Mammal	
Felidae (wild cats) skin	349 pc
Elephant—Ivory	94·3 kg
Monkey (live)	6 hd
Slow Loris	9 hd
Gibbon	3 hd
Pangolin: live/stuffed/carcass	3 hd
meat/scale	9·6 kg
Bird	
Bird of prey/owl—live/dead	10 hd
meat	0·3 kg
Parrot	54 hd
Reptile	
Reptiles: skins	695 pc + 10,000 pairs of watch straps
live/stuffed/carcass	7 hd
Sea turtle: scale	52 pc
live/stuffed/shell	103 hd
Tortoise	9 hd
Amphibian	
Giant Salamander: live/carcass	2 hd
Fish	
Asiatic Bony Tongue	45 tails
Arapaima fish	558 tails
Insect	
Mounted butterfly	5 pc
Corale	500 kg
Plant	
Orchid	2,269 pc

Total Number of Seizures: 166

East Timor

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when *(a)* the United Nations Security Council, or *(b)* the European Community Council of Ministers last discussed (i) the Indonesian occupation of East Timor and (ii) the killings of the East Timor people and enforcement of United Nations resolutions on this matter.

Mr. Lennox-Boyd *[holding answer 12 February 1991]:* The last discussion in the United Nations Security Council of Indonesia's invasion of East Timor was on 22 April 1976. These matters have not been discussed by the Economic Community Council of Ministers.

Employment

Training and Enterprise Councils

Ms. Short: To ask the Secretary of State for Employment when he intends to place a copy of the new training and enterprise council operating agreement and operating manual for 1991-92 in the Library; and if he will make a statement.

Mr. Jackson: I intend to place a copy of the TEC operating agreement and the TEC operating manual in the Library during March. These documents will reflect the new flexibilities and responsibilities which TECs will have from April 1991.

Mrs. Peacock: To ask the Secretary of State for Employment what percentage of the funding available to the training and enterprise councils may be spent on *(a)* administration and *(b)* promotion and advertising.

Mr. Jackson *[holding answer 15 February 1991]:* Budgets are allocated to individual TECs on the basis of

proposals set out in their business and corporate plans. The proportion of funding allocated to promotion and advertising and administration varies between TECs.

Youth Training

Mrs. Mahon: To ask the Secretary of State for Employment whether training and enterprise councils are in 1991 guaranteeing every school leaver at age 16 years a suitable youth training place before Christmas.

Mr. Jackson: Training and enterprise councils are contracted to meet the Government's guarantee of the offer of suitable training for all under-18s who have left school, are not in a job and who are seeking a place on youth training. The guarantee applies continuously to young people in this situation until they reach their 18th birthday. The guarantee is their top priority within youth training funds and their business plans are closely scrutinised to ensure that they have made sufficient provision to meet it.

Employment Service

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will make a statement on the future of the employment service in Pickering and Malton, North Yorkshire.

Mr. Jackson: I wrote to my hon. Friend the Member for Ryedale (Mr. Greenway), in whose constituency Pickering and Malton lie, on 13 February, to inform him of the plans for the future of the employment service in Malton and Pickering. The employment service is developing an enhanced service at Malton and plans to transfer the services from Pickering to Malton between the end of March and mid-April and to close the part-time offices at Pickering.

South Glamorgan TEC

Mr. Morgan: To ask the Secretary of State for Employment on what date he received the second corporate plan of South Glamorgan training and enterprise council.

Mr. Jackson: As in the case of other TECs, my officials received several drafts of the corporate plan for South Glamorgan TEC.

Mr. Morgan: To ask the Secretary of State for Employment whether he took into account the discussions between his area director for Wales and the chairman of South Glamorgan TEC concerning the desirability of William Cowlin and Sons proceeding with its tender for the new TEC building, before approving its corporate plan.

Mr. Jackson: The William Cowlin and Sons tender to refurbish premises for South Glamorgan TEC had been withdrawn before the plans were submitted for my right hon. and learned Friend's approval.

Mr. Morgan: To ask the Secretary of State for Employment on what date he approved the South Glamorgan TEC corporate plan.

Mr. Jackson: I approved the corporate plan for South Glamorgan TEC on 23 January.

Jobcentres

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Employment how many people are employed by the Department in jobcentres in *(a)* Gwynedd and *(b)* Ynys Môn; and of that total how many are able to speak Welsh.

Mr. Jackson: Questions on operational matters in the Employment Service executive agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Earnings

Mr. Nellist: To ask the Secretary of State for Employment what information he has on a comparative basis of the average earnings of skilled, semi-skilled, unskilled men, and women, in manufacturing industry in Organisation for Economic Co-operation and Development countries, at the latest convenient dates and five years ago in £ sterling equivalents and purchasing power equivalents.

Mr. Forth: The only information available is published by *(a)* the Statistical Office of the European Communities on the average gross hourly earnings of manual workers by industrial groups, in "Earnings: Industry and Services, No. 1 1990", a copy of which will be available shortly in the Library of the House; and *(b)* the International Labour Office on average wages by industry for OECD and other countries in "Yearbook of Labour Statistics 1989-90", a copy of which is available in the Library.

SCOTLAND

Neil Duncan

Mr. Wilson: To ask the Secretary of State for Scotland what was the cost to the Exchequer of the police inquiry into the case of Neil Duncan and others.

Lord James Douglas Hamilton: The total estimated police cost was £65,000, of which the Exchequer share, in the form of police grant, would be £33,150.

Scottish Development Agency

Mr. McMaster: To ask the Secretary of State for Scotland what were the levels of investment by the Scottish Development Agency in the Paisley, South constituency since 1983.

Mr. Allan Stewart: Agency expenditure (excluding running costs) on projects in the constituency is set out in the table.

Year	*Expenditure* £
1983-84	12,000
1984-85	251,000
1985-86	355,000
1986-87	86,000
1987-88	224,000
1988-89	236,000
1989-90	206,000

Mr. McMaster: To ask the Secretary of State for Scotland if he has any plans to introduce legislation to encourage employers to recruit more disabled employees.

Mr. Allan Stewart: No.

CAP Payments

Mr. Denzil Davies: To ask the Secretary of State for Scotland how much the total payments received by the agricultural industry in Scotland were under the common agricultural policy in each of the last three years.

Mr. Michael Forsyth: Total expenditure in the United Kingdom under the common agricultural policy was:

	£ million
1987-88	1,611·1
1988-89	1,362·9
1989-90	1,230·5

Details of schemes with identifiable expenditure in Scotland are given in the annual appropriation accounts volume 9: class XVI Scotland. It is not possible to disaggregate all United Kingdom CAP expenditure in this way.

Local Health Councils

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what assessment he has made of the likely effectiveness of local health councils which are appointed by the health boards they are empowered to monitor.

Mr. Michael Forsyth: The role of health boards is changing. Increasingly they will be concerned with strategic issues and with the procurement of services to meet the health needs of their areas. Councils are likely to concentrate on the services provided. The two roles are mutually compatible and supportive.

Local Government Finance

Mr. Worthington: To ask the Secretary of State for Scotland what was the budgeted expenditure per head of population of each of the Scottish regional councils in 1990-91.

Mr. Allan Stewart *[holding answer 15 February 1991]:* The information is set out in the table:

1990-91 Budget Estimates per head of population

	£
Borders	850·13
Central	775·74
Dumfries and Galloway	816·00
Fife	819·06
Grampian	761·23
Highland	1,017·12
Lothian	829·85
Strathclyde	855·50
Tayside	819·12

Note:
Figures have been calculated using total relevant current expenditure including loan and leasing charges and population figures at June 1989.

Mr. Worthington: To ask the Secretary of State for Scotland what was the income per head of each of the Scottish regions from the Scottish Office, revenue support grant and non-domestic rates in 1990-91.

Mr. Allan Stewart *[holding answer 15 February 1991]:* The information is set out in the table:

	1990-91 Revenue support grant per head of population £	*1990-91 Non-domestic rates per head of population* £
Borders	558·71	96·85
Central	383·71	175·41
Dumfries and Galloway	510·77	122·23
Fife	374·05	202·40
Grampian	435·25	161·82
Highland	613·28	178·23
Lothian	315·13	206·88
Strathclyde	450·68	174·67
Tayside	445·83	149·25

Enterprise Ayrshire

Mr. Foulkes: To ask the Secretary of State for Scotland what allocation he has made to Enterprise Ayrshire for training for the coming financial year; what is the allocation to the existing equivalent programmes for the current year; what estimate he has of the reduction in training places as a result; what effect it will have on permanent and temporary employees inherited by Enterprise Ayrshire; and if he will make a statement.

Mr. Allan Stewart *[holding answer 15 February 1991]:* There is no specific allocation of resources to individual training programmes in the current year in respect of the area for which Enterprise Ayrshire will be responsible for organising Government-financed training provision from 1 April. The allocation of resources for 1991-92 to individual local enterprise companies is a matter for Scottish Enterprise rather than my right hon. Friend. The number of training places to be provided next year in individual local enterprise company areas is a matter for consideration by the relevant local enterprise company, in consultation with Scottish Enterprise. It depends upon a wide range of factors and is not the subject of estimates by the Scottish Office. Staffing complements are also a matter for consideration between local enterprise companies and Scottish Enterprise. However, it is important to be clear that local enterprise companies do not directly inherit any staff. Staff from the Training Agency and the Scottish Development Agency have the statutory right to an offer of employment with Scottish Enterprise. Any arrangements to second staff to local enterprise companies do not detract from that statutory right.

Hospitals

Mr. Foulkes: To ask the Secretary of State for Scotland what contribution he made towards the cost of the management consultants' reports on the parallel business plans for a national health service trust and managed unit within the health board for the South Ayrshire hospitals; what was the total cost of the study; and who else contributed towards it.

Mr. Michael Forsyth *[holding answer 15 February 1991]:* I refer the hon. Member to my reply to the hon. Member for Aberdeen, North (Mr. Hughes) at volume 185, columns *87-88*.

Mr. Foulkes: To ask the Secretary of State for Scotland what representations he has received concerning the study being undertaken into a national health service trust for

South Ayrshire hospitals; what has been the nature of such representations; and what action he proposes to take as a result.

Mr. Michael Forsyth *[holding answer 15 February 1991]:* I have received a number of representations concerning trust status for South Ayrshire hospitals, all of which will be given careful consideration.

Food Poisoning

Mr. Wray: To ask the Secretary of State for Scotland how many research projects on food poisoning the Scottish Office is funding in Scotland; and if he will list them.

Mr. Michael Forsyth *[holding answer 15 February 1991]:* The following research projects in Scotland relevant to food poisoning are being funded by the Scottish Office.

1. Rapid methods of determining bacterial numbers in milk and milk products.
2. The properties, particularly in respect to pathogenicity, of spore forming organisms in milk.
3. The source and factors controlling the growth of Listeria spp in milk and milk products.
4. Quantify the routes and describe the factors regulating the transmission of micro-organisms in eggs.
5. Biochemical activity, virulence factors and food chain distribution of Yersinia enterocolitica.
6. Listeriosis: A case control study to test the hypothesis that the consumption or handling of "high risk" foods are risk factors in acquiring infection.

Mr. Wray: To ask the Secretary of State for Scotland how many cases of food poisoning were detected and treated in Scotland in 1988, 1989 and 1990.

Mr. Michael Forsyth *[holding answer 15 February 1991]:* The numbers of confirmed notifications by doctors to health boards of cases of food poisoning in these years were 2,998, 3,197 and 3,037 (provisional) respectively. Information about the treatment of individual patients is not held centrally.

Labour Statistics

Mr. Wray: To ask the Secretary of State for Scotland how many *(a)* under 25-year-olds, *(b)* 25 to 35-year-olds and *(c)* over 35-year-olds are unemployed in (i) Scotland, (ii) Strathclyde and (iii) Glasgow; and how many in each age group have been unemployed for more than 12 months.

Mr. Allan Stewart *[holding answer 15 February 1991]:* The available information for those aged under 25, aged 25 to 34 years old and aged 35 years or over can be obtained from the NOMIS database in the House of Commons Library. Library staff are ready to assist in accessing the information if necessary.

DEFENCE

Welsh Service Personnel

Dr. Thomas: To ask the Secretary of State for Defence (1) if he will publish figures outlining the number of applicants and entrants to *(a)* the Army, *(b)* the Royal Navy and Royal Marines and *(c)* the Royal Air Force who (i) were born in Wales and (ii) who are normally resident in Wales;

(2) of those members of the United Kingdom regular forces serving in the Gulf, how many are normally resident in Wales; and if he will publish separate figures for *(a)* the Army, *(b)* the Royal Air Force and *(c)* the Royal Navy and Royal Marines.

Mr. Archie Hamilton: The information requested is not held centrally and could not be obtained without disproportionate cost.

The Gulf

Miss Hoey: To ask the Secretary of State for Defence what information he has on the number of deaths of *(a)* military personnel and *(b)* civilians that have occurred as a direct result of the outbreak of hostilities in the Gulf.

Mr. Cohen: To ask the Secretary of State for Defence what is his latest estimate of military casualties to date in the Gulf conflict.

Mr. Archie Hamilton: Her Majesty's Government are not in a position to provide an overall estimate of the number of people killed so far during hostilities. The United Kingdom has no personnel confirmed as killed as a direct result of hostilities.

Mr. Wareing: To ask the Secretary of State for Defence what information he has on how many civil servants have been called up as reservists for service in the Gulf; and if he will make a statement on the effect of such calls-ups on their pay, posts and promotion prospects.

Mr. Archie Hamilton: The civilian employment of reservists called out for service as a result of the Gulf conflict is not centrally recorded. Reservists called out from the civil service will be paid the military pay appropriate to their service rank. If necessary, under established balance of civil pay procedures, they will also receive additional payments from their previously employing Department to bring total emoluments up to the level of their civil service pay. Posts will be kept available for reservist staff called out for service and their promotion prospects will be unaffected.

Mr. Cohen: To ask the Secretary of State for Defence whether the resolution of the House of 21 January on the Gulf represents Her Majesty's Government's policy.

Mr. Archie Hamilton: Yes.

Mr. Cohen: To ask the Secretary of State for Defence (1) what steps have been taken to minimise civilian casualties in the Gulf conflict wherever possible; and if he will make a statement;

(2) what advice he has issued to British commanders on how minimising civilian casualties should be interpreted;

(3) what consideration has been given in authorising the use of B-52 bombers by the allied coalition to minimising civilian casualties wherever possible;

(4) what is his latest estimate of civilian casualties to date in the Gulf conflict.

Mr. Archie Hamilton: Allied pilots have instructions only to attack targets which could pose a threat to allied forces or facilities supporting Iraq's occupation of Kuwait. These attacks are carefully planned, with the aim of minimising the risk of causing civilian casualties. Iraq has made varying claims about the number of civilian casualties, but we are unable to verify these claims.

Mr. Cohen: To ask the Secretary of State for Defence what losses have been suffered to date in the middle east by *(a)* the allies and *(b)* the United Kingdom.

Mr. Archie Hamilton: In the air campaign so far, six RAF Tornado GR1s have failed to return from missions over Iraq. A further Tornado GR1 was lost following a mechanical failure immediately after take-off. The United States announced on 15 February that, in addition to the United Kingdom losses, coalition forces have lost a further 22 aircraft to enemy action.

Mr. Cohen: To ask the Secretary of State for Defence what action the joint information bureau has taken to police and enforce the media ground rules for reporting the Gulf war.

Mr. Archie Hamilton: The allied joint information bureaux provide contact points for journalists and as such do not directly police and enforce the ground rules for reporting. Responsibility for policing and enforcing these ground rules falls to various authorities, including individual national staffs who man the bureaux. British authorities in theatre routinely raise with journalists aspects of compliance with the ground rules. In certain cases the Saudi authorities will take direct action.

Mr. Cohen: To ask the Secretary of State for Defence on what basis *(a)* war facts and information are withheld and *(b)* disinformation released.

Mr. Archie Hamilton: The Government's policy is to allow all reasonable freedom and access for reporting, subject only to constraints essential to protect the safety of coalition forces and the security of allied operations.

Mr. Flynn: To ask the Secretary of State for Defence what provisions have been made for the long-term management of sewage and waste oils from military operations arising from the British forces in the Saudi Arabian desert.

Mr. Archie Hamilton: In desert areas sewage is incinerated, while waste oil is drained into drums carried for this purpose and removed to a civilian disposal facility.

Mr. Flynn: To ask the Secretary of State for Defence what protective measures have been taken to protect British forces in the Gulf from being bitten by the camel spider, scorpions, the carpet viper, the black desert cobra, the horned viper and desert ants.

Mr. Archie Hamilton: All personnel moving to the Gulf are briefed on the particular health risks associated with the local environment, including those posed by arachnids, reptiles and insects. Normal military clothing and footwear are considered sufficient protection in normal circumstances and we have no knowledge of any specific problems concerning the species mentioned.

Mr. Flynn: To ask the Secretary of State for Defence what is the policy of the Royal Air Force operating in the Gulf in regard to targets of opportunity; and what guidance is given to pilots to judge whether such targets are civilian.

Mr. Archie Hamilton: Allied pilots have instructions to attack only targets which could pose a threat to allied forces or facilities supporting Iraq's occupation of Kuwait. On occasions, aircraft have returned with their bombs because their crews have been unable to identify their target clearly.

Mr. Flynn: To ask the Secretary of State for Defence if he will obtain a copy of the account of Mr. Ramsey Clark concerning the damage caused to residential areas in Iraq from allied bombing raids.

Mr. Archie Hamilton: We are unable to confirm the claims made by Mr. Ramsey Clark about damage to residential areas in Iraq.

Mr. Dalyell: To ask the Secretary of State for Defence what facilities are available in Bundeswehr hospitals for Gulf wounded.

Mr. Archie Hamilton: There are no plans to use Bundeswehr hospitals for the treatment of British personnel wounded in the Gulf.

Mr. Marlow: To ask the Secretary of State for Defence what is his assessment of the effect of the interdiction of Iraqi logistic systems on the non-Iraqi population of Kuwait.

Mr. Archie Hamilton: The people of Kuwait have had to suffer over six months of occupation and ill-treatment by Iraq. Conditions for the Kuwaiti people will improve only when that occupation is ended, which is the aim of the allied military campaign.

Mr. Marlow: To ask the Secretary of State for Defence what military objectives in the Gulf have been discussed or agreed with Israel.

Mr. Archie Hamilton: The aims of the coalition forces are those laid down by the United Nations Security Council.

Mr. Marlow: To ask the Secretary of State for Defence what is his assessment of the level of civilian casualties to date in Basra.

Mr. Archie Hamilton: Iraq has made numerous claims about civilian casualties resulting from the allied air campaign, including in the Basra area. We are unable to verify Iraq's claims.

Mr. Marlow: To ask the Secretary of State for Defence what was the military purpose served by the destruction of the justice and local government ministries in Baghdad.

Mr. Archie Hamilton: The justice and local government ministries form an integral part of the national command and control structure of Iraq.

Mr. Marlow: To ask the Secretary of State for Defence whether any of the Patriot missile launchers are located in the occupied territories.

Mr. Archie Hamilton: Deployments of Patriot missile launchers in defence of Israel are a matter for the Israeli Government.

Mr. Marlow: To ask the Secretary of State for Defence what is his assessment of the length of time in which the Al-Amerieh bunker had been used as an air raid shelter.

Mr. Archie Hamilton: The bunker attacked in Baghdad on 13 February was constructed in the early 1980s during

the Iran-Iraq war, but, as the United States has said, it was converted to a military command and control facility in the late 1980s.

Mr. Marlow: To ask the Secretary of State for Defence if he will make a detailed inquiry into the alleged destruction of a civil air raid shelter in Baghdad, and review procedures required to minimise the risk of any similar occurrence.

Mr. Alton: To ask the Secretary of State for Defence if he will make a statement on the bombing on 13 February of Iraqi civilians sheltering in the Baghdad air raid shelter.

Mr. Archie Hamilton: The allied aim remains to keep civilian casualties to a minimum. The United States has made it clear that the bunker would not have been attacked if it had been known that the civilians were inside. The United Kingdom has the same policy.

Mr. Michael: To ask the Secretary of State for Defence if he will ensure that contracts for passenger and freight air transport during the current period are directed to British firms which have been subject to financial pressures due to the Gulf crisis.

Mr. Archie Hamilton: While reserving the right to secure charter air transport services by open competition, some 95 per cent. of Ministry of Defence contracts arising from the Gulf situation and related activities have been let to United Kingdom firms. A further 3 per cent. related to requirements which could not be met in the United Kingdom market.

Mr. Hinchliffe: To ask the Secretary of State for Defence what contingency plans exist to deal with large-scale contamination by anthrax spores of personnel serving in the Gulf.

Mr. Archie Hamilton: A range of counter-measures have been taken, or are available, to deal with the possible use of chemical or biological weapons against our forces deployed in the Gulf. For obvious reasons, it is not our practice to comment on specific agents or counter-measures. We have made it clear ther Her Majesty's Government would view any use of such agents with very grave concern.

Falkland Islands

Mr. Simon Coombs: To ask the Secretary of State for Defence if he will make a statement on the defence of the Falkland Islands.

Mr. Archie Hamilton: We welcome the continuing improvement in United Kingdom-Argentine relations and the contribution which this makes to security in the south Atlantic. The measures agreed between both Governments at Madrid last year for reciprocal consultation on military movements have helped the confidence-building process. We remain fully committed to the defence of the Falkland Islands and to maintaining adequate forces there for this purpose.

Incubators, Iraq

Mr. Cohen: To ask the Secretary of State for Defence what is his assessment of the effect of the war upon the usability of incubators in Iraq to save babies' lives.

Mr. Archie Hamilton: Allied forces have not attacked hospitals and there is no reason to believe that Iraqi hospitals have been unable to continue to function. By contrast, evidence was given to the United Nations Security Council on 27 November 1990 of the deaths of 120 new-born babies in a Kuwaiti hospital when they were taken from their incubators by the Iraqis.

RAF (Training)

Sir David Steel: To ask the Secretary of State for Defence how much military low flying in the United Kingdom over the past 10 years was by non-RAF pilots; and from which nations these pilots came.

Mr. Kenneth Carlisle: As I indicated in my answer of 7 February to the right hon. Gentleman, *Official Report*, column *219*, low flying by aircraft of other nations, apart from United States air force aircraft based in this country, amounts to less than 2 per cent. of total low flying activity over the past 10 years. Central records do not distinguish the individual nations concerned and it would involve disproportionate cost and effort to try to establish this information.

Sir David Steel: To ask the Secretary of State for Defence what contracts or agreements Her Majesty's Government have entered into over the past 10 years for the Royal Air Force to train foreign pilots in low flying.

Mr. Kenneth Carlisle: I have nothing to add to the reply which I gave the right hon. Gentleman on 7 February, *Official Report*, column *219*.

Sir David Steel: To ask the Secretary of State for Defence which countries' nationals have received pilot and navigational training by the Royal Air Force in the United Kingdom over the past 10 years.

Mr. Archie Hamilton: It is not the practice to give details of military assistance provided to individual countries.

Fishing Vessels

Mr. Home Robertson: To ask the Secretary of State for Defence what advice to operators of fishing vessels his Department has issued pending the introduction of electronic identification equipment.

Mr. Archie Hamilton: When submarines are operating on the surface normal "rules of the road" apply. In the case of dived submarines, it is the responsibility of the submarine's captain to keep clear of surface craft. In addition, designated submarine exercise areas are clearly marked on all Admiralty charts and fishermen are advised to keep special watch for submarines on or near the surface while transitting these areas. In the Firth of Clyde, where submarine movements are most frequent, mariners are given advance warning of the times and general areas in which dived submarine operations are planned.

Mr. Home Robertson: To ask the Secretary of State for Defence when he expects electronic identification equipment to be made generally available for use on fishing vessels.

Mr. Archie Hamilton: Trials of these devices have not yet been completed. It is too early to say when they may become generally available, but I hope that commercially produced models will be ready later this year.

Mr. Home Robertson: To ask the Secretary of State for Defence what trials have been undertaken by his Department into the use of electronic identification equipment on fishing vessels operating in waters used by submarines.

Mr. Archie Hamilton: Initial trials involving a static device took place last summer and trials of a towed device were carried out in December. Further trials involving a range of commercially produced devices will take place in the near future.

Mr. Home Robertson: To ask the Secretary of State for Defence how much the electronic identification equipment tested by his Department costs per unit; and whether he intends to make it available free of charge.

Mr. Archie Hamilton: It will not be possible to estimate the cost of these devices until the trials programme has been completed and the specification for the devices has been finalised. No decision on funding has yet been taken.

Mr. Home Robertson: To ask the Secretary of State for Defence whether any trials into the use of electronic identification equipment on fishing vessels have examined their effect on the behaviour of marine life.

Mr. Archie Hamilton: No. The purpose of the trials being conducted by the Ministry of Defence is to establish whether net pingers provide an effective means of improving a submarine's ability to detect fishing nets.

Gulf Forces (Food Supplies)

Dr. David Clark: To ask the Secretary of State for Defence what is his policy towards purchasing food for the forces from outside the United Kingdom; and if he will make a statement.

Mr. Archie Hamilton: In accordance with Government policy, the Ministry of Defence aims to secure best value for money in the purchasing of food for the armed forces. This means that having specified what is required in terms of rigorous quality standards, the Department seeks competitive tenders whenever it can.

Under EC directives the Ministry of Defence is obliged to advertise the majority of its forthcoming purchases in the *Official Journal* of the EC. To date there has been very little response from overseas companies, and almost all the Ministry's contracts for food for the armed forces are placed with firms in the United Kingdom. These firms in turn obtain their supplies from normal trade sources in this country and abroad. We do not seek to influence the selection by companies of their sources of supply any more than is necessary to ensure that the required quality standards are met.

Dr. David Clark: To ask the Secretary of State for Defence if he will list the amount and cost of *(a)* butter and *(b)* beef which has been bought by him for the forces from (i) the United Kingdom and (ii) other countries, listing the countries in each case, for 1990 and to date in 1991; and if he will make a statement.

Mr. Archie Hamilton: The value of butter and beef purchased by the Ministry of Defence for the services is as follows:

Butter	*Value* £
1990	200,000
[1]1991	8,000

[1] To the end of January.

Beef	*£ million*
1990	13
[1]1991	1

[1] To the end of January.

Details of supplies by country of origin are not available. However, it is estimated that approximately 95 per cent. of purchases of beef in 1990 came from South America, mainly Uruguay, with the remainder from the United Kingdom, and that all butter came from the United Kingdom.

Military Manoeuvres

Mr. Foulkes: To ask the Secretary of State for Defence what definition of the term military manoeuvre is used when considering the applicability of the Manoeuvres Act 1958 to military exercises.

Mr. Archie Hamilton *[holding answer Monday 11 February 1991]:* There is no statutory definition of the term "military manoeuvre", but in common service usage the term would be used to describe the strategic or tactical movement of a military force.

Mr. Foulkes: To ask the Secretary of State for Defence if he will list the occasions during the last 10 years when a Manoeuvres Commission has been appointed under the provisions of the Manoeuvres Act 1958.

Mr. Archie Hamilton *[holding answer Monday 11 February 1991]:* On no occasion in the last 10 years has a manoeuvres commission been appointed under the provisions of the Manoeuvres Act 1958.

Written Answers to Questions

Tuesday 19 February 1991

ENERGY

Electricity

Mr. Salmond: To ask the Secretary of State for Energy what was the amount of electricity generated in the United Kingdom in each of the last five years; what proportion was generated from *(a)* coal, *(b)* oil, *(c)* gas, *(d)* nuclear and *(e)* renewable energy sources; and what proportion of the electricity from each of these sources was (1) generated and (2) consumed in (i) Scotland, (ii) England, (iii) Wales and (iv) Northern Ireland.

Mr. Heathcoat-Amory: The amount of electricity generated by the major generating companies in the United Kingdom in each of the past five years was as follows:

Electricity generated[1]

Year	GWH
1986	282,272
1987	282,696
1988	288,543
1989	292,911
1990	[2]299,712

[2]estimate

The proportion of electricity generated by the major generating companies in the United Kingdom from coal, oil, gas, nuclear and renewable sources was:

Percentage share of fuel used in electricity generation[2]

Fuel[3]	1986	1987	1988	1989	1990
Coal	72	76	72	69	70
Oil[4]	9	7	8	8	10
Nuclear	17	16	18	21	19
Renewable energy sources[5]	2	2	2	2	2

The amount of gas used to generate electricity accounted for less than 0·1 per cent. of the total.

The proportion of electricity generated by the major generating companies in the United Kingdom from each of the previous sources in Scotland, England and Wales, and Northern Ireland for 1986 to 1989 was as follows. Data for England and Wales are not available separately and data for 1990 are not yet available.

Percentage share by country of fuels used[2]

	Fuel[3]			
	Coal	Oil[4]	Nuclear	Renewable energy sources[5]
	per cent.	per cent.	per cent.	per cent.
1986				
Scotland	6	12	22	95
England and Wales	94	65	78	5
Northern Ireland	0	22	0	0
1987				
Scotland	7	7	22	94
England and Wales	92	65	78	6
Northern Ireland	1	27	0	0
1988				
Scotland	6	20	23	95
England and Wales	94	53	77	5
Northern Ireland	0	27	0	0
1989				
Scotland	5	6	26	95
England and Wales	94	71	74	5
Northern Ireland	1	23	0	0

The amount of gas used to generate electricity accounted for less than 0·1 per cent. of the total.

The proportion of United Kingdom electricity sales in Scotland, England, Wales and Northern Ireland was as follows. Data for 1990 are not yet available.

per cent.[2]

Sales of electricity[6]	1986	1987	1988	1989
Scotland	10	10	10	10
England	82	82	82	82
Wales[7]	6	6	6	6
Northern Ireland	2	2	2	2

Sales of electricity cannot be linked to fuels used in generation.

(1) Information published in Energy Trends Table 15 and in Digest of United Kingdom Energy Statistics (1990 Table 53). Coverage is for the major generating companies in the United Kingdom formerly comprising the public supply system: National Power, PowerGen, Nuclear Electric, National Grid Company, Scottish Power, Scottish Hydro, Scottish Nuclear, Northern Ireland Electricity Service, Midlands Electricity and South Western Electricity.

(2) Due to rounding the sum of the constituent percentage may not equal 100.

(3) Information published in Energy Trends Table 16 and in Digest of United Kingdom Energy Statistics (1990 Table 49). Coverage is for the major generating companies in the United Kingdom formerly comprising the public supply system (see note 1).

(4) Includes oil used in gas turbines and diesel plant, for lighting up coal fired boilers, and Orimulsion.

(5) Includes natural flow hydro, wind and refuse-derived fuel.
(6) Information published in Digest of United Kingdom Energy Statistics (1990 Table 58).
(7) Relates to sales in Wales by MANWEB and South Wales Electricity.

ATTORNEY-GENERAL

Solicitors

Mr. O'Hara: To ask the Attorney-General if he will describe the current arrangements for senior solicitors to become judges in respect of *(a)* the procedures that are followed when solicitors put themselves forward as potential candidates for judicial office and *(b)* the measures he is taking to invite solicitors to apply for judicial office; and if he will make a statement on future proposals in this area.

The Attorney-General: The Lord Chancellor's general policy is that before being considered for a full-time judicial post a candidate must first have served in a part-time capacity for long enough to establish his or her competence and suitability. Those wishing to become judges usually serve initially as assistant recorders or deputy district judges. All applicants are considered on their merits, having regard to the numbers of appointments required.

Views are sought from those able to comment on an applicant's practice, professional standing and other qualities. Interviews are also held.

Applications from suitably qualified solicitors for judicial appointment are welcomed. The Lord Chancellor has taken steps to encourage more solicitors to put themselves forward for consideration. Such measures include continuing discussion with the Law Society, public speeches, meetings with solicitors' groups and the publication and wide distribution of a booklet explaining the judicial appointments system. In 1988 a special pilot scheme was set up, involving senior solicitors on local review committees, with the aim of testing a further method for identifying solicitors for potential appointment: the results of this scheme are currently being evaluated.

Innocent Dissemination

Mr. John Garrett: To ask the Attorney-General if he will make a statement on his consultations on the Faulks committee's proposal that the defence of innocent dissemination should be available to printers.

The Attorney-General: In a consultation paper published in July 1990 the Lord Chancellor invited views on whether the defence of innocent dissemination should be made available to printers. The Lord Chancellor is now concluding his consideration of the responses received and hopes to make a statement in the near future.

Bailiffs

Mr. Madden: To ask the Attorney-General what representations he has received calling for bailiffs to be certificated; what plans he has to introduce legislation making such a requirement; and if he will make a statement.

The Attorney-General: The recently published National Consumer Council report on private bailiffs recommended that the Community Charges (Administration and Enforcement) Regulations 1989 be amended to require all bailiffs to be certificated. That is a matter for my right hon. Friend the Secretary of State for the Environment.

The Government have no plans at present to introduce legislation requiring all bailiffs to be certificated.

Leybucht Bay

Mr. Morgan: To ask the Attorney-General when he expects the decision to be reached by the European Court of Justice on the Leybucht bay case: European Commission *v.* the Federal Republic of Germany.

The Attorney-General: The Advocate General gave his opinion in ECJ Case C57/89 Commission *v.* Germany on 5 December 1990, and it is expected that the European Court of Justice will deliver its judgment on 28 February 1991.

HOME DEPARTMENT

Refugees

Mr. Fraser: To ask the Secretary of State for the Home Department what discussions have taken place with other European Community states about a common approach to refugees.

Mr. Peter Lloyd: Asylum policy has been discussed in a wide range of meetings at both ministerial and official level between member states of the European Community. The Dublin convention, signed by 11 member states last June, seeks to clarify responsibilities for considering individual asylum cases.

Racial Equality

Mr. Vaz: To ask the Secretary of State for the Home Department when he last met the chairman of the Commission for Racial Equality; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend met the chairman of the Commission for Racial Equality on Thursday 14 February to discuss current issues affecting community relations.

Mr. Vaz: To ask the Secretary of State for the Home Department what resources at 1990 prices have been allocated by the Government to the Commission for Racial Equality for each year since its creation.

Mrs. Rumbold: The information is as follows:

	Actual grant (£)	*At 1989-90 prices (£)*
1977-78[1]	3,150,000	8,172,266
1978-79	4,900,000	11,464,938
1979-80	5,900,000	11,831,234
1980-81	7,000,000	11,862,396
1981-82	7,475,000	11,552,073
1982-83	8,287,000	11,957,462
1983-84	8,629,000	11,900,591
1984-85	9,359,000	12,283,441
1985-86	9,447,322	11,759,029
1986-87	10,583,000	12,737,251
1987-88	10,845,000	12,378,300
1988-89	11,256,000	11,973,449
1989-90	11,805,000	11,805,000
1990-91[2]	13,512,400	12,511,481

[1] Part.
[2] Based on latest GDP deflator available in November 1990.

Mr. Vaz: To ask the Secretary of State for the Home Department how many magistrates there are in Britain; and of these how many are *(a)* black, *(b)* Asian and *(c)* women.

The Attorney-General: I have been asked to reply.

As at 1 January 1991 there were 29,062 lay magistrates in England and Wales. Of these, 12,964 were women. Records are not kept of the racial origins of magistrates. However, surveys in 1987 indicated that 528 were members of an ethnic minority and an informal count since has shown that the number of such appointments has exceeded the proportion in the population age groups from which appointments are normally made.

Animal Experiments

Mr. Lawrence: To ask the Secretary of State for the Home Department what information he has on the numbers of, or trend in, the numbers of animal experiments since the implementation of the Animals (Scientific Procedures) Act 1986.

Mrs. Rumbold: The number of scientific procedures performed on living animals since the introduction of the Animals (Scientific Procedures) Act 1986 is given in table 23 of "Statistics of Scientific Procedures on Living Animals, Great Britain 1989"—Cm. 1152—a copy of which is in the Library. The table shows that the use of living animals in scientific procedures has been declining steadily for many years. The 1986 Act has given further impetus to this encouraging trend.

The Gulf

Mr. Vaz: To ask the Secretary of State for the Home Department how many meetings he has had with representatives of the Asian community in Britain to discuss the Gulf war; and if he will list the organisations concerned.

Mrs. Rumbold: My right hon. Friend recently attended the annual banquet of the Bharatiya Vidya Bhavan. A visit to the Glasgow central mosque, planned for 18 January, had to be postponed and rearranged for a date in May. However, I met representatives of the United Kingdom action committee on Islamic affairs on 23 January. Such meetings reflect continuing contacts at ministerial and official level.

North Yorkshire Police

Mr. Caborn: To ask the Secretary of State for the Home Department how many additional uniformed police officers, excluding special constables, have been authorised to be added to the strength of the North Yorkshire police in each year from 1975 to 1990.

Mr. Peter Lloyd: It is not possible to distinguish between increases in uniformed and non-uniformed police officers as such information is not held centrally. The establishment of the North Yorkshire police has been increased in the following years between 1975 and 1990:

Year	*Police Posts*
1975	111
1979	40
1989	15
1990	25

The police authority did not request establishment increases in the years 1980-81 to 1987-88 inclusive.

Mr. Caborn: To ask the Secretary of State for the Home Department how many crimes were *(a)* recorded and *(b)* detected by North Yorkshire police in each year from 1975 to 1990.

Mr. John Patten: The requested information for 1975-1989 is published in the annual reports of the chief constable of North Yorkshire for the years 1976, 1978 and 1989. Copies of these publications are available in the Library. Statistics for 1990 are not yet available.

Electoral Registers

Mr. Darling: To ask the Secretary of State for the Home Department if he will list by parliamentary constituency the number of electors listed in the draft electoral register for 1991-92 and the number listed in the register for 1990-91.

Mrs. Rumbold: Figures on the number of electors included in draft electoral registers for England and Wales are not held centrally. Figures on the number of local government electors included in the register for 1991-92 will be published by the Office of Population Censuses and Surveys in the spring; parliamentary constituency electorates will be published in the summer in the OPCS annual reference volume on electoral statistics. Figures relating to the electoral register for 1990-91 were published in the last year's annual reference volume, a copy of which is in the Library.

Immigration

Mr. Darling: To ask the Secretary of State for the Home Department (1) what is the average cost in 1990-91 of processing each application for *(a)* registration as a British citizen, *(b)* naturalisation on grounds of marriage and *(c)* other naturalisation;

(2) what is the average cost in 1990-91 of processing applications for *(a)* registration as a British citizen, *(b)* naturalisation on the grounds of marriage and *(c)* other naturalisations where the application is withdrawn or abandoned.

Mr. Peter Lloyd: The average cost of processing applications in each of these categories during the period April 1990-January 1991 is shown in the table. Average cost of withdrawn applications is not computed separately:

Category of application	*Average cost of processing*	
	Successful	*Unsuccessful*
	£	£
Registration	79·51	58·00
Naturalisation of a person married to a British citizen	143·95	135·95
Naturalisation on grounds of residence in the United Kingdom	175·50	140·16

Iraqi Nationals

Mr. Madden: To ask the Secretary of State for the Home Department (1) what is his estimate of the number, to the latest available date, or Iraqi nationals and other nationals, required to register under the Immigration (Variation of Leave) Order 1991, who, to date, have failed to register; what are the requirements of registration; and if he will make a statement;

(2) how many Iraqi nationals are currently registered with the police; what fee is charged for registration; and how many such registrations since the coming into force of the Immigration (Variation of Leave) Order 1991 have been made.

Mr. Peter Lloyd: On 21 January 1991, a total of 3,484 Iraqi nationals were registered with the police. Information is not yet available centrally showing the number who have registered since coming into force of the Immigration (Variation of Leave) Order 1991 which required all Iraqi nationals with a limited leave to enter or remain in the United Kingdom to register with the police. The requirements of registration are to supply within seven days of the requirement being imposed certain details to the police, such as name, date of birth, address, together with a recent photograph and to keep the police informed of changes in circumstances. The fee for registration is currently £36.

Metropolitan Police

Sir John Wheeler: To ask the Secretary of State for the Home Department what will be the total cost to public funds of the Metropolitan police in 1991-92; and if he will make a statement.

Mr. Kenneth Baker: As police authority for the metropolis, I have approved estimates which provide for net revenue expenditure of £1,415·167 million in 1991-92. There will be a cash limit on current expenditure of £1,370·423 million. Capital expenditure is subject to separate control.

I have also approved the issue of a precept of £123·74 per head of relevant population for Metropolitan police purposes. This is not the sum levied on individual community charge payers, but will be levied on local authorities' collection funds which include income from revenue support grant and national non-domestic rates as well as the community charge.

EDUCATION AND SCIENCE

Sports Facilities

Mr. Higgins: To ask the Secretary of State for Education and Science what information he has on sports facilities provided by local authorities at community charge payers' expense which are not being used because contracts for their operation have not been put out to tender.

Mr. Atkins: I am unaware of any cases where local authority sports facilities are not being used because contracts for their management have not been put out to tender. SI 1990 No. 1564 specifies that competition in the management of sports and leisure facilities should be phased in by steps from 1 January 1992 to 1 January 1993.

Mr. Higgins: To ask the Secretary of State for Education and Science whether it is his policy that contracts for the operation and maintenance of sports facilities provided by local authorities must be put out to tender if there is no possibility that the revenue from them will cover costs.

Mr. Atkins: The Government are introducing compulsory competitive tendering in the management of local authority sports facilities because they believe it will result in better value for money from local authority expenditure.

Data Protection Act

Mr. Cohen: To ask the Secretary of State for Education and Science whether he has made an estimate of the total cost of registration of all schools under the Data Protection Act; and whether he has any plans to increase grants in order to cover these costs.

Mr. Fallon: No information is available on the extent to which schools make use of personal data held on computer which would make registration necessary.

West Midlands (Minister's Visit)

Mr. Terry Davis: To ask the Secretary of State for Education and Science what official engagements were undertaken by the hon. Member for Stratford-on-Avon (Mr. Howarth) during his visit to the west midlands on 30 January.

Mr. Alan Howarth: As sponsor Minister for the Birmingham city action team and the East Birmingham task force, I visited the Hodge Hill access centre, based at Hodge Hill girls' school in Birmingham, and attended a special meeting of the Birmingham city action team at the Birmingham area office of the Employment services in New street. In the afternoon, I visited Coventry polytechnic, particularly the department of health sciences and the department of mechanical engineering and held meetings with academics and students.

Teachers (North Yorkshire)

Mr. Cabom: To ask the Secretary of State for Education and Science what was the full-time equivalent number of teachers employed in North Yorkshire secondary schools in each year from 1974 to 1990, in each of the following subject areas *(a)* English, *(b)* mathematics, *(c)* physics, *(d)* chemistry, *(f)* technology, *(g)* history, *(h)* geography, *(i)* economics, *(j)* French, *(k)* German, *(l)* Spanish, *(m)* Italian, *(n)* Russian, *(o)* other modern languages, *(p)* religious education, *(q)* art, *(r)* music and *(s)* physical education.

Mr. Fallon: Information on the deployment of teachers within individual local authorities is not centrally available.

Mr. Cabom: To ask the Secretary of State for Education and Science how many *(a)* heads and deputy heads and *(b)* other teachers in North Yorkshire infant and primary schools, and North Yorkshire secondary schools, have (i) left the profession, (ii) sought early retirement and (iii) taken early retirement in each year from 1974 to 1990.

Mr. Fallon: The table gives information on teachers leaving the profession and those retiring before age 60, for

the years 1985-86 to 1987-88. Information for earlier years is not readily available, and for later years is not yet available. The number of teachers seeking early retirement is not centrally available.

Full-time teachers in maintained schools in North Yorkshire

	Number leaving teaching		Number retiring before 60	
	Heads and deputies	Other teachers	Heads and deputies	Other teachers
Nursery and primary				
Year to 31 March				
1986	4	49	18	37
1987	8	52	22	31
1988	5	42	17	22
Secondary				
Year to 31 March				
1986	0	108	7	72
1987	0	100	7	43
1988	1	106	2	35

Note: "Leaving teaching" excludes those who were barred, died or moved into service in special or further education or in independent schools. Some of those leaving may have since returned to teaching.

Mr. Cabom: To ask the Secretary of State for Education and Science what was the full-time equivalent number of teachers employed in *(a)* North Yorkshire infant and primary schools, and *(b)* North Yorkshire secondary schools in each year from 1974 to 1990.

Mr. Fallon: The number of full-time equivalent qualified teachers employed within maintained primary and secondary schools in North Yorkshire were as follows:

January each year	Primary[1] schools	Secondary[2] schools
1975	2,661	2,805
1976	2,718	2,945
1977	2,744	3,059
1978	2,727	3,126
1979	2,698	3,160
1980	2,648	3,219
1981	2,529	3,197
1982	2,402	3,178
1983	2,304	3,205
1984	2,282	3,197
1985	2,271	3,073
1986	2,274	3,017
1987	2,322	2,938
1988	2,356	2,852
1989	2,411	2,814
1990	2,450	2,795

[1] All types of primary school including infant schools.
[2] Includes middle schools deemed secondary.

Data for 1974 are not readily available.

ILEA

Mr. Tony Banks: To ask the Secretary of State for Education and Science what is his estimate of staff numbers in his Department involved in full or part-time work arising from abolition of the Inner London education authority.

Mr. Fallon: The DES has an inner London unit with 14 staff. Most of the work of the unit is in connection with schools in the new inner London education authorities. There is however still some residual business arising from the abolition of ILEA.

Mr. Tony Banks: To ask the Secretary of State for Education and Science what is his current estimate of the financial and staff savings arising from the abolition of ILEA; and when the figures were last assessed.

Mr. Fallon: There are already encouraging signs that many of the new inner London LEAs are seeking to increase efficiency in their education service; it is too early to assess precise savings.

Special Schools

Ms. Armstrong: To ask the Secretary of State for Education and Science (1) if he will list, for those local authorities for which numbers are available for the latest date available, how many pupils with statements of special educational needs are recorded as attending maintained special schools under arrangements made by the authority;

(2) if he will list, for those local authorities for which numbers are available, and for the latest date available, how many pupils with special educational needs are recorded as attending non-maintained special schools and independent schools under arrangements made by the authority.

Mr. Fallon: The number of pupils in maintained special schools, non-maintained special schools and the number of pupils with statements of special educational needs in independent schools in each local education authority in England in January 1990 is given in the table.

Pupils with statements of special educational needs
January 1990

	Special schools[1]		Independent schools
	Maintained	Non-maintained	
City	0	0	0
Camden	421	0	1
Greenwich	744	0	0
Hackney	663	0	4
Hammersmith	481	0	2
Islington	336	0	0
Kensington and Chelsea	98	0	1
Lambeth	958	0	0
Lewisham	505	0	1
Southwark	578	0	0
Tower Hamlets	484	0	0

	Special schools[1]		Independent schools
	Maintained	Non-maintained	
Wandsworth	740	0	3
Westminster	219	0	21
Barking	190	0	0
Barnet	345	0	26
Bexley	268	0	0
Brent	372	0	0
Bromley	384	43	3
Croydon	488	0	12
Ealing	442	0	37
Enfield	416	0	1
Haringey	329	0	0
Harrow	245	0	1
Havering	268	0	0
Hillingdon	381	101	0
Hounslow	495	0	0
Kingston upon Thames	255	0	0
Merton	254	0	0
Newham	479	0	0
Redbridge	409	16	69
Richmond upon Thames	177	0	0
Sutton	299	0	67
Waltham Forest	755	0	0
Birmingham	2,864	56	12
Coventry	860	0	1
Dudley	546	0	0
Sandwell	889	0	0
Solihull	246	0	2
Walsall	577	0	0
Wolverhampton	501	0	0
Knowsley	668	0	0
Liverpool	1,560	155	0
St. Helens	479	0	99
Sefton	452	178	122
Wirral	790	83	0
Bolton	456	41	0
Bury	285	0	1
Manchester	1,731	0	0
Oldham	627	0	0
Rochdale	540	0	0
Salford	666	0	1
Stockport	397	322	7
Tameside	417	0	0
Trafford	389	0	0
Wigan	795	0	0
Barnsley	220	0	0
Doncaster	731	317	129
Rotherham	613	0	32
Sheffield	868	0	0
Bradford	965	0	0
Calderdale	232	87	33
Kirklees	652	39	0
Leeds	1,132	200	22
Wakefield	635	0	1
Gateshead	415	0	0
Newcastle-upon-Tyne	638	153	5
North Tyneside	425	137	0
South Tyneside	305	0	0
Sunderland	644	0	53
Isles of Scilly	0	0	0
Avon	2,047	0	225
Bedfordshire	1,123	0	1
Berkshire	1,497	240	58
Buckinghamshire	1,512	0	68
Cambridgeshire	1,035	0	88
Cheshire	1,430	173	1
Cleveland	1,379	0	1
Cornwall	313	0	34
Cumbria	425	0	334
Derbyshire	1,453	136	271
Devon	1,713	348	458
Dorset	1,117	86	148
Durham	1,010	0	2
East Sussex	1,361	445	377
Essex	2,592	168	112
Gloucestershire	1,241	67	89
Hampshire	3,820	287	415
Hereford and Worcester	1,326	164	242
Hertfordshire	1,907	67	85
Humberside	1,269	0	0
Isle of Wight	273	47	0
Kent	3,346	483	174
Lancashire	3,238	192	25
Leicestershire	1,114	0	61
Lincolnshire	1,163	0	64
Norfolk	884	0	215
North Yorshire	1,067	209	15
Northamptonshire	1,169	32	65
Northumberland	542	0	50
Nottinghamshire	2,156	79	40
Oxfordshire	820	141	50
Shropshire	611	89	177
Somerset	592	62	252
Staffordshire	2,001	0	164
Suffolk	747	0	111
Surrey	1,775	638	92
Warwickshire	1,383	0	10
West Sussex	1,214	101	254
Wiltshire	698	62	26
England	93,051	6,244	5,623

[1] All pupils in special schools.

Ms. Armstrong: To ask the Secretary of State for Education and Science if he will place responses to his circular regarding the application of local management of schools in the Library; and if he will make a statement.

Mr. Fallon *[holding answer 18 February 1991]:* It is not our normal practice to publish responses to consultation on draft circulars. We are considering the responses carefully and will take full account of them in drawing up the final version of the circular.

Ms. Armstrong: To ask the Secretary of State for Education and Science what steps his Department is taking to monitor the effect of *(a)* retention of funds for special needs by the local education authority in the LMS formula and *(b)* delegation of special needs funds to maintained schools in the LMS formula.

Mr. Fallon *[holding answer 18 February 1991]:* We are monitoring and reviewing all aspects of the effects of local management—with the help of LEAs, the local authority and head teacher associations, and Her Majesty's inspectorate. Close attention will be paid to the effects of different ways of managing provision for pupils with special educational needs within the context of LMS—local management of schools.

Ms. Armstrong: To ask the Secretary of State for Education and Science what account he has taken

regarding the responsibilities of local education authorities under the Education Act 1981, when considering the application of LMS to *(a)* special schools and *(b)* children with special needs in mainstream education.

Mr. Fallon *[holding answer 18 February 1991]*: Circular 7/88, which guided the preparation of LMS schemes for mainstream schools, stated that the Secretary of State expected LEAs to include within schemes provision for taking into account pupils with special needs as defined under the 1981 Act, including both pupils with and without statements made under that Act. Where provision for pupils with statements of special needs is delegated to schools under schemes of local management, the Secretary of State expects to see LEAs place conditions on governors of schools with delegated budgets, binding them to deliver the provision required by the statements.

My right hon. and learned Friend is currently consulting on proposals to extend local management to special schools.

Sport and Physical Education

Mr. Pendry: To ask the Secretary of State for Education and Science when he will publish the interim report of the working group on sport and physical education in the national curriculum.

Mr. Atkins: I refer the hon. Member to the reply my right hon. and learned Friend gave to my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) on 18 February, *Official Report*, column *23*.

School Premises

Mr. Pendry: To ask the Secretary of State for Education and Science on what date the public consultation stage of the review of the Education (School Premises) Regulations 1981 will commence; what time scale has been decided for the completion of the consultation stage; and if he will list the organisations invited to take part in the public consultation.

Mr. Fallon: We expect consultation to begin within the next week. Comments will be invited by Friday 22 March. We shall be writing to the following organisations:

Local Authority Associations
- Association of Metropolitan Authorities
- Association of County Councils

Local Education Authorities
- Chief Education Officers—England

School Governors
- National Association of Governors and Managers

GM Schools
- Grant Maintained Schools Trust

City Technology Colleges
- CTC Trust

Religious Bodies
- Catholic Education Council
- General Synod of the Church of England
- London Board of Jewish Religious Education
- Methodist Church Division of Education and Youth

Teachers Associations
- National Union of Teachers
- Secondary Heads Association
- Professional Association of Teachers
- National Association of School Masters/Union of Women Teachers
- National Association of Head Teachers
- Assistant Masters and Mistresses Association

Special Educational Needs
- Local Authority Social Services Departments
- Centre for Studies of Integration in Education
- National Council for Special Education
- Royal National Institute for the Blind
- Royal National Institute for the Deaf
- The Spastics Society
- Special Educational Needs National Advisory Council
- National Association of Independent and Non-Maintained Special Schools

Local Authority Professional Associations
- Society of Education Officers
- Society of Chief Architects in Local Authorities (SCALA)
- Association of Heads of County Property Departments
- Society of Chief Electrical and Mechanical Engineers
- Society of Chief Building Surveyors

Ethnic Minority Organisations
- Afro-Caribbean Teachers Association
- Asian Teachers Association
- British Association of Muslims
- Board of Deputies of British Jews Education Office
- Federation of Bangladeshi Associations
- Caribbean Teachers Association
- Greek Cypriot Teachers Association
- National Association of Hindu Associations
- National Muslim Education Council for U.K.
- Sikh Education Council
- Standing Conference of Asian Organisations U.K.
- The Islamic Academy
- The Council of Mosques: U.K. and Eire
- The Islamic School Trust
- Muslim Educational Trust
- Muslim Educational Services
- Muslim Education Co-ordinating Council U.K.

Other
- The Chartered Institute of Building
- National Confederation of Parent Teacher Associations
- Association of Community Councils in Rural England (ACRE)

Organisations maintaining non-maintained special schools
- Royal National Institute for the Blind
- Barnardo's
- National Children's Home
- The Shaftesbury Society
- Invalid Children's Aid Nationwide
- Order of the Sacred Hearts of Jesus and Mary (Essex)
- Order of the Sacred Hearts of Jesus and Mary (Merseyside)
- The English Province of the Daughters of the Cross
- The Sisters of Charity of St. Vincent de Paul
- Order of the Dominicans
- Royal London Society for the Blind
- Christian Service Union
- Boys' and Girls' Welfare Society
- The Royal Eastern Counties Schools Ltd.
- Mind
- Henshaw's Society for the Blind
- The Birmingham Royal Institute for the Blind
- The Smith Foundation
- The Royal Catholic Diocese of Arundel and Brighton

Other bodies
- Local authority social services departments

Other organisations or individuals are of course welcome to write to the Department offering their views. The Welsh Office will, I understand, be consulting separately with organisations in Wales within the same time scale.

HEALTH

Hospital Food Purchases

Mr. Nicholas Winterton: To ask the Secretary of State for Health what was the total cost of food purchased by NHS hospitals in each region in the last year for which figures are available.

Mr. Dorrell: Information derived from the annual accounts of regional and district health authorities in England is shown in the table.

Revenue expenditure on Hospital and Community Health Services (HCHS)—Provisions—1989-90

Region	*£000 (cash)*
Northern	14,487
Yorkshire	15,718
Trent	17,945
East Anglian	8,566
North West Thames	14,784
North East Thames	19,886
South East Thames	15,917
South West Thames	13,676
Wessex	11,527
Oxford	8,668
South Western	12,950
West Midlands	21,548
Mersey	10,805
North Western	18,596
Regions total	205,073

Notes:

1. The expenditure relates to provisions purchased for patients and staff and is incurred predominately in hospitals; elements included for other services covered by HCHS—for example, community health —are not separately identifiable in the annual accounts.
2. The table excludes expenditure by the special health authorities for the London postgraduate teaching hospitals. Expenditure incurred by regional and district health authorities under contract catering arrangements, totalling some £14·1 million in 1989-90, is similarly excluded.

Departmental Achievements

Mr. Pawsey: To ask the Secretary of State for Health if he will make a statement on the principal achievements of his Department since June 1987.

Mr. Waldegrave: The principal achievement since June 1987 has been the enactment of the reforms of the health service set out in the National Health Service and Community Care Act 1990. The reforms build on the fundamental principles of the national health service and on the achievements of the last 40 years, to secure the best possible use of the record level of resources now available for health care and to give patients, wherever they live in the United Kingdom, better health care and greater choice of services. Improved organisation and management of the national health service through clearer definition of responsibility between those purchasing health services in line with the needs of their local population and those providing and managing those services will be key elements.

The national health service has made a positive response and welcomed the greater devolution and delegation of responsibility. Fifty-seven hospital trusts have already been announced and will come into effect from next April along with a substantial number of general practitioner fund holders. Considerable interest has been expressed by others wishing to follow in subsequent waves. These changes mean putting quality and responsiveness to the patient at the top of the agenda.

Since 1987, and throughout their period of office, the Government have remained firmly committed to the national health service as a service free to all regardless of means and funded primarily from central taxation. Gross United Kingdom spending has increased from £21·8 billion in 1987-88 to a level of planned expenditure of £32·6 billion in 1991-92. United Kingdom per capita expenditure on the health service will have risen from £383 in 1987-88 to £567.

The numbers of patients receiving treatment has continued to rise each year. Targets set in 1986 for cataracts and bone marrow transplants have been met and the target for hip replacements is close to being achieved. There has been a 23 per cent. increase in the total number of heart and lung transplants and a 72 per cent. increase in the number of liver transplants.

Besides the increases in the number of direct care staff, doctors and nurses are better paid. The Government have responded positively to the recommendations made by the respective independent review bodies. Last December, broad agreement was reached with the medical profession to reduce to 72 hours per week the long hours worked by junior hospital doctors in hard-pressed posts.

The NHS and Community Care Act 1990, also provides the framework for the development of domiciliary day and respite services to enable people to live in their own homes wherever feasible and sensible. This programme will have a phased introduction to avoid overburdening the agencies involved.

Since 1987, the Government have placed particular emphasis on the importance of health promotion and disease prevention. In 1990, immunisation and vaccination targets were set under the terms of the new contract for GPs. These have already led to improvements, particularly in the inner city areas where rates were generally low. Since 1988 all English health authorities have had a computerised call and recall system for cervical cancer screening. All women aged between 20 and 64 are expected to be brought into the programme by 1993. The first nationwide breast cancer screening programme in the European Community has been established, and important initiatives have been taken on teenage smoking, alcohol misuse, drug misuse, diet, food safety and coronary heart disease. In January 1988, the world summit of Ministers of Health was held in London, to look at programmes for combating the spread of AIDS. More than £10 million has been made available annually to health authorities and voluntary organisations to continue this work. Further progress has been made towards the WHO European region's 38 "Health For All" targets with many of those relating to health trends, lifestyles and healthy environment having been achieved. With the support of the leading health professions, the Government expect to produce a consultative document in the early part of 1991, which will form the first stages of a health strategy for England and provide the means for measuring improved health outcomes.

Other developments since June 1987 include the improved approach to child care practice under the Children Act 1989. Close working between magistrates courts, the higher courts and local authorities with the need for understanding new court processes will be

important factors. The Human Fertilisation and Embryology Act 1990 addresses the complex legal and ethical issues surrounding embryos and embryo research.

Newmarket Hospital

Sir Eldon Griffiths: To ask the Secretary of State for Health when he expects to receive the Eastern regional health authority's proposals to run down Newmarket hospital to a community facility.

Mrs. Virginia Bottomley: The West Suffolk district health authority is currently consulting widely on the future of Newmarket hospital. The consultation period will end on 28 February. The district health authority will then make proposals to the East Anglian regional health authority. The regional health authority will consider these findings within the wider context of its proposed strategy for acute services in the south western part of the region. If the scheme preferred by the region and the district is formally opposed it will be referred to my right hon. Friend the Secretary of State.

The Gulf

Ms. Primarolo: To ask the Secretary of State for Health what is his estimate of the cost to the NHS arising from increased prescription of tranquilisers to those service men and women and their families who are suffering from trauma, stress and long-term mental illness consequent upon the war in the Gulf.

Mrs. Virginia Bottomley: There is no information available on which to base any such estimate.

Ms. Primarolo: To ask the Secretary of State for Health if the Chief Medical Officer is proposing to issue guidance to general practitioners in regard to the treatment of servicemen and women and their families suffering from trauma, stress and long-term mental illness following upon war in the Gulf with regard to the cost implications and avilability of psychotherapeutic treatment and drug-based treatment.

Mr. Dorrell: The Chief Medical Officer does not intend to issue guidance on what is a clinical matter. General practitioners regularly deal with people suffering from stress and mental illness using psychotherapeutic methods and drug treatment. Previous major incidents have given an increased understanding of the approaches which are most helpful.

Service men and women will be treated primarily by the services medical organisations. Families will in the main receive care from their general practitioners, in the usual way under national health service arrangements.

NHS Hospitals (Re-admissions)

Mr. Wray: To ask the Secretary of State for Health if he will make it his policy to collect central data of the number of patients in England and Wales who, having been discharged from national health service hospitals, required subsequent hospitalisation for *(a)* the same complaint or *(b)* a different but related complaint.

Mr. Dorrell: There are no plans to do so. Decisions about discharge are a matter for clinical judgment. Such decisions will be informed by medical audit but not by central collection of data.

Food Hygiene Regulations

Mr. Steen: To ask the Secretary of State for Health whether Scotland will be exempted from the Food Hygiene (Amendment) Regulations 1990; and if he will make a statement.

Mr. Dorrell: The Food Hygiene (Amendment) Regulations 1990 apply to England and Wales only. Separate food hygiene regulations apply in Scotland, and amendments are under consideration in the Scottish Office.

Haemophilia

Mr. Bellotti: To ask the Secretary of State for Health what plans the bio products laboratory has to import unlicensed high purity Factor VIII products from abroad for the treatment of haemophilia A patients; and if he will make a statement.

Mr. Dorrell: The bio products laboratory—BPL—is responding to the demand from clinicians for high purity Factor VIII made from plasma provided by United Kingdom unpaid voluntary donors as recommended in World Health Organisation and EC guidelines. It has licensed the appropriate manufacturing technology and is modifying its production facility to manufacture the product locally. For a limited period while those modifications are carried out, and in the interest of meeting the demands as quickly as possible, the BPL has contracted Kabi of Sweden to undertake part of the manufacturing process from an intermediate material supplied by the BPL. This work will be undertaken under the supervision of BPL staff.

The BPL is not at present covered by the licensing requirements of the Medicines Act because of Crown immunity. However, some of its products and facilities are already so licensed and it will be seeking licences for other products, including high purity Factor VIII, under the arrangements leading to the removal of Crown immunity. For many years the BPL has been inspected by the medicines inspectorate and its product have been tested by the National Institute of Biological Standards and Control, as are similar licensed pharmaceutical products.

Mr. Bellotti: To ask the Secretary of State for Health what recent guidelines he has issued with regard to treatment of haemophilia A patients; and what representations he has received.

Mr. Dorrell: Several representations have been received concerning the use of high purity factor VIII for the treatment of haemophilia A patients. The Department has not issued guidance on this matter; decisions whether this treatment is appropriate for individual patients rest with the clinicians within the arrangements and protocols set locally for determining priorities among patient services, including prescribing costs.

NHS Trusts

Mr. Robin Cook: To ask the Secretary of State for Health what is the estimated level of *(a)* capital repayments, *(b)* interest payments, and *(c)* public dividend payments by national health service trusts to the Treasury in 1991-92.

Mr. Dorrell: We estimate that the level of capital repayments and interest payments to be made by NHS

trusts in 1991-92 will be £70·2 million and £189 million respectively. Dividends payable on public dividend capital will not normally be declared or paid until after the end of the financial year once audited accounts are received.

Depreciation

Mr. Robin Cook: To ask the Secretary of State for Health by how much hospital and community health services revenue plans have been enhanced in 1991-92 to meet the provision in national health service trust prices for depreciation.

Mr. Dorrell: HCHS revenue plans have been enhanced by £164 million in the 1991-92 financial year to take account of depreciation provided for in NHS trust prices.

Junior Doctors

Mr. Terry Davis: To ask the Secretary of State for Health what reduction has taken place in the number of junior hospital doctors with a rota commitment greater than 1:3 in the west midlands region since 18 January 1989.

Mrs. Virginia Bottomley: This information is not held centrally. The hon. Member may wish to contact the chairman of the West Midlands regional health authority for details.

Hormone Drugs

Mr. Pendry: To ask the Secretary of State for Health what timetable, agency and funding has been agreed for his Department's survey into the use and misuse of hormone drugs; and if he will make a statement.

Mr. Dorrell: The Government have decided in principle that a survey should be carried out into the prevalence of the misuse of steroid drugs. We are urgently considering the best way to take the survey forward. We hope to be able to give further details shortly and I will write to the hon. Member when these are available.

Food Poisoning, Preston

Dr. David Clark: To ask the Secretary of State for Health whether he is investigating the source of the outbreak of food poisoning caused by E. coli in the Preston area; what other action he is taking in respect of this; and if he will make a statement.

Mr. Dorrell: This outbreak is the subject of ongoing investigation by the public health laboratory service. The Department's Chief Medical Officer has issued a statement about the need for beefburgers and similar minced meat products to be thoroughly cooked before they are eaten. All local authority environmental health departments were notified of the outbreak and asked, through the Department's hazard warning system, to remind food businesses of the need to ensure beefburgers are properly cooked. Both the CMO's statement and the hazard warning notice have been placed in the Library.

The Government will consider the need for additional action in the light of the PHLS findings on the outbreak and other cases of human illness due to E.coli 0157 phage type 31 (variant) which have been reported around the country.

Women in the National Health Service

Mrs. Maureen Hicks: To ask the Secretary of State for Health (1) whether he has any plans to encourage job sharing in the NHS;

(2) what plans he has to ensure that full use is made of women's contributions to the NHS; and if he will make a statement;

(3) how many women work in the NHS.

Mrs. Virginia Bottomley *[holding answer 8 February 1991]:* The latest available information, which relates to 1989, indicates that there were 770,300 women working in the national health service in England, representing 76·6 per cent. of the total work force. We are firmly committed to ensuring that the best possible use is made of their valuable contribution.

We take every opportunity to stress to health authorities the importance of flexible working arrangements, including job sharing, which allow women to successfully combine their family responsibilities with those of working in the NHS.

To encourage authorities in the development of good personnel policies and practices which enable them to recruit and retain the services of women staff, we have endorsed a wide range of initiatives, including:

Publication of a comprehensive guidance manual and summary report sent to all health authorities by the national steering group on equal opportunities for women in the NHS.

Many health authorities operate their own independent day nursery and holiday play schemes, while others have entered into collaborative arrangements with separate organisations.

Launch of two new schemes in December last year for "Keeping in Touch" and "Getting Back to Practice" to replace an existing dentists' retainer scheme, enabling dentists who take career breaks from their practices to keep up to date with their skills and experience.

The introduction of a maternity payments scheme for general dental practitioners who intend to return to general practice after having a child.

Publication in January this year of the report and recommendations of a special departmental working group on "Women Doctors and their Careers" aimed at promoting greater equality of opportunity for women in the medical profession.

Publication of a special report by the Department's social services inspectorate "Women in Social Services—A Neglected Resource" giving guidance on how social services departments can benefit from making full use of womens skills and experience.

Launch of a new scheme providing special leave arrangements for a range of family and domestic needs, agreed in January this year between NHS management and staff representatives. This scheme complements one agreed in July last year under which authorities may grant career breaks.

Departmental funding for a number of projects aimed at encouraging the return of nursing, health visiting and midwifery staff to the NHS.

Additionally, the new GP contract recognises explicitly that women GPs often want to combine a career in general practice with bringing up their family. It does so by formally introducing new opportunities to work part time and to job share. We have also removed the list size criterion for a locum allowance while a woman GP is absent from the practice having a baby—so the practice will not lose out while she is away.

Implementation of some of these schemes is a matter for the individual employing authorities. We shall continue to seek ways of encouraging them to effect improvements where necessary.

PRIME MINISTER

Senior Civil Servants (Degrees)

Mr. Page: To ask the Prime Minister how many permanent secretaries have engineering, science or mathematics degrees; and what percentage that is of the total.

The Prime Minister: Four permanent secretaries—12 per cent. of the total—have degrees in these subjects. Two have science degrees and two have mathematics degrees. There are in addition a further 12 permanent secretaries —35 per cent. of the total—with social science degrees, including economics and statistics, and one with a professional accountancy qualification.

Mr. Page: To ask the Prime Minister how many under-secretaries have engineering, science or mathematics degrees; and what percentage that is of the total.

The Prime Minister: This information is not held centrally and could not be obtained without disproportionate cost.

Defence Quality Assurance Unit

Mr. Devlin: To ask the Prime Minister if he will seek to co-ordinate the activities of the Departments of Environment, Trade and Industry and Transport with regard to the proposed relocation of the Ministry of Defence quality assurance unit to Stockton on Tees.

The Prime Minister: The Ministry of Defence has been in contact with the Departments mentioned during the course of their studies into the relocation of the directorate general defence quality assurance.

Ministerial Advisers

Mr. Ron Davies: To ask the Prime Minister how many political advisers to Ministers are currently employed in the civil service; in which Departments they work; and on what grades they are paid.

The Prime Minister: There are currently 26 special advisers to Ministers employed in the civil service. The number in each Department is as follows:

	Number
Cabinet Office (including No. 10)	6
Department of the Environment	4
Foreign and Commonwealth Office	2
Department of Health	2
Her Majesty's Treasury	2
Ministry of Agriculture, Fisheries and Food	1
Department of Education and Science	1
Department of Energy	1
Department of Employment	1
Home Office	1
Lord President of the Council	1
Scottish Office	1
Department of Social Security	1
Department of Trade and Industry	1
Department of Transport	1

Special advisers are not graded and are not therefore paid on civil service salary scales. They are normally paid on a special advisers salary spine comprising 30 points, as follows:

Scale point	*Salary (inclusive)*
30	54,184
29	52,100
28	50,096
27	48,924
26	47,757
25	46,264
24	44,771
23	42,731
22	41,144
21	39,563
20	37,908
19	36,239
18	34,571
17	32,909
16	30,927
15	29,667
14	28,664
13	27,666
12	26,617
11	25,660
10	24,873
9	23,771
8	22,931
7	22,185
6	21,449
5	20,697
4	19,595
3	18,925
2	18,353
1	17,280

The two most senior special advisers are paid personal salaries above the spine limit of £54,184. It is not our practice to reveal the salary of any adviser, as it is negotiated individually in relation to previous earnings and is, therefore, confidential.

Greater London Council

Mr. Tony Banks: To ask the Prime Minister which departments of state are still carrying out functions and responsibilities arising from the abolition of the GLC.

The Prime Minister: The Home Office, the Department of the Environment, the Department of Transport and the Office of Arts and Libraries.

WALES

Mental Illness

Mr. Wigley: To ask the Secretary of State for Wales how many mental illness hospital beds were available in Wales in 1978, 1982, 1986, and during each of the last three years.

Mr. Nicholas Bennett: Information on mental illness beds and other psychiatric beds, excluding mental handicap, is given in the table:

Average daily available NHS hospital beds

Specialty	*1978*	*1982*	*1986*	*1987*	*1988*	*1989-90*
Mental illness	5,352·4	4,526·7	4,200·4	3,956·1	3,808·9	2,586·1
Child and adolescent psychiatry	84·0	69·0	62·1	61·0	61·0	75·0
Forensic psychiatry	—	—	—	—	—	9·5
Old age psychiatry	189·0	298·0	468·2	488·5	525·7	1,473·4
Total of above	5,625·4	4,893·7	4,730·7	4,505·6	4,395·6	4,144·0

A487, Gwynedd

Mr. Wigley: To ask the Secretary of State for Wales if he will make a statement on the outcome of his feasibility study undertaken for his Department, by Gwynedd county council, on possible options for improving the A487 road in the vicinity of Penygroes and Llanllyfni, and of providing a bypass for these two villages; and what is the expected time scale of these improvement schemes.

Sir Wyn Roberts: The study report on the A487 trunk road from Caerau to Pont Seiont, which includes Penygroes and Llanllyfni has not yet been received by the Welsh Office. However the outcome of preliminary consideration of the case for road improvements will be covered in a supplement to "Roads in Wales", to be published next week.

South Wales Traffic Study

Mr. Barry Jones: To ask the Secretary of State for Wales what is the remit for the south Wales area traffic study; what is its estimated cost; who is undertaking it; when it will be completed; and if he will make a statement.

Sir Wyn Roberts: The study is a review of traffic patterns over most of the south Wales trunk road network. It identifies sections likely to exceed their recommended traffic flow levels in the foreseeable future and evaluates possible solutions. It was undertaken by JMP Consultants Ltd in association with Veryard and Partners for £350,000. Their summary report was submitted last December and it is currently receiving careful consideration. No public statement is likely before the spring.

Roads

Mr. Barry Jones: To ask the Secretary of State for Wales when he proposes to issue the revised supplement on "Roads in Wales"; and if he will make a statement.

Sir Wyn Roberts: We plan to publish a 1991 supplement to "Roads in Wales" on 25 February.

Castle Cement Works

Mr. Barry Jones: To ask the Secretary of State for Wales if he will indicate the action he has taken since the announcement of redundancies at the Castle cement works, Clwyd.

Mr. David Hunt: As the hon. Gentleman knows from my reply of 15 January, the Welsh Development Agency is taking these redundancies into account in planning its activities. The agency's small firms service have been in Castle Cement recently advising people who are considering self-employment and will continue to play an active role in helping those made redundant.

Brymbo Steelworks

Mr. Barry Jones: To ask the Secretary of State for Wales if he will indicate the action he has taken since the announcement of redundancies at the Brymbo steelworks, Clwyd.

Mr. David Hunt: Since United Engineering Steels' announcement on the 14 May 1990 that Brymbo steelworks was to close, I have met, on several occasions, all the parties involved to discuss the future of the steelworks.

At my request, the Welsh Development Agency made extensive, worldwide efforts, throughout last summer to find a buyer for the site who would continue steelmaking in some form without success.

The Welsh Development Agency is still in consultation with United Engineering Steels over possible future uses for the site.

On 30 October 1990, I announced a support package designed to mitigate the effects of the steelworks closure on the area. The package entails the government matching United Engineering Steel's contribution of £260,000 to the North East Wales training enterprise council pound for pound; an extra urban programme grant of £0·5 million this financial year, as well as the revenue appointment of a Brymbo village liaison and advice worker for three years, and an extra £0·5 million for Wrexham Maelor borough council for its Redwither project as part of its 1991-92 credit approvals announced on 10 December. In addition, the Welsh Development Agency has commenced work on £5·5 million programme of works based at the Wrexham industrial estate which should create job opportunities for 500 people. European regional development fund aid of £2,229,345 has been granted towards projects in the Wrexham travel-to-work area under the Clwyd integrated development operational programme.

I will be meeting again the hon. Member for Wrexham (Dr. Marek) and representatives of the county and district councils later this week to review the situation and I will be taking further action as and when I consider it necessary.

Clwyd Furniture Industry

Mr. Barry Jones: To ask the Secretary of State for Wales if he will indicate the measures he proposes in Clwyd consequent upon the announcement of redundancies in the furniture industry.

Mr. David Hunt: These job losses are very much regretted. The Welsh Development Agency takes all job losses into account in planning its future activities and reviews its plans in the light of continuing developments.

Glendale Company

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement of the action he has taken consequent upon the placing of the Glendale company in the hands of the receiver.

Mr. David Hunt: While the company is in the hands of the receiver it would be inappropriate for me to intervene. I have however asked the WDA to alert possible purchasers and both the agency and the Welsh Office stand ready to give every possible assistance to any potential purchaser.

Effluent

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* a list of the trade effluent consents that have been granted for the discharge of pesticide waste to sewers, giving for each, the eight figure Ordnance Survey grid reference number for the point of discharge.

Mr. Nicholas Bennett: This information is not held centrally. Copies of trade effluent consents are available for public inspection at the offices of the sewerage undertaker.

Drinking Water

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* the information available to his Department on the incidence of faecal material in drinking water.

Mr. Nicholas Bennett: Water undertakers are required by the Water Supply (Water Quality) Regulations 1989 (SI 1989 No. 1147) to record on a public register the results of the analysis of samples taken. In addition the chief inspector of the drinking water inspectorate will publish in the summer a full report upon the quality of drinking water supplied in England and Wales during 1990.

Wetlands

Mr. Morgan: To ask the Secretary of State for Wales if he will list those estuaries and wetlands with nature conservation protection designations, currently facing urban/recreational or industrial development proposals.

Sir Wyn Roberts: The information is not held centrally. The Nature Conservancy Council must be consulted about all development proposals in sites of special scientific interest and has undertaken a review of the nature conservation interests of the estuaries of Great Britain. I understand that the full report is due to be published on 25 March 1991.

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales what are the duties he has prescribed for the Cardiff Bay development corporation in the field of vocational training.

Mr. David Hunt: Neither I nor my predecessors have prescribed duties for Cardiff Bay development corporation in the field of vocational training. The corporation has, however, been actively involved in the development of a training initiative in co-operation with local authorities and government agencies, with the full support of the Wales TUC and CBI. The initiative will provide training opportunities for unemployed local people so that they can benefit from the regeneration of the area.

Mr. Morgan: To ask the Secretary of State for Wales if he has had any consultations with the chairman of the Cardiff Bay Development Corporation regarding the setting up of a centre of excellence in the vocational training field at Cardiff bay.

Mr. David Hunt: I have had no such consultations. My officials were, however, involved in discussions with officers of the corporation about its involvement in the development of a centre of excellence for vocational training within the bay area. These discussions took place in the context of the normal project approval arrangements for the corporation.

Local Plans

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* a list of those local authorities in Wales that have no local plan.

Mr. Nicholas Bennett: No local plans have been placed on deposit or adopted in the areas of the following local authorities:

Alyn and Deeside district council
Carmarthen district council
Ceredigion district council
Glyndwr district council
Montgomeryshire district council
Neath borough council
Preseli Pembrokeshire district council
South Pembrokeshire district council

Vocational Courses

Mr. Morgan: To ask the Secretary of State for Wales if he will provide transitional funding assistance to vocational part-time courses at higher education colleges due to be directly funded after April 1992.

Sir Wyn Roberts: I refer the hon. Gentleman to my reply of 11 February 1991.

NORTHERN IRELAND

Fair Employment

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many companies have been prosecuted to date in Northern Ireland for failing to make monitoring returns to the Fair Employment Commission.

Mr. Needham: Fifteen.

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether he will seek to ensure that small companies in Northern Ireland are not threatened with disqualification by the Fair Employment Commission following minor breaches of the fair employment legislation.

Mr. Needham: It is for the Fair Employment Commission to decide how to use its power under the fair employment legislation, including when to take action against those who fail to comply with its provisions.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many companies have been prosecuted to date after making a late return of monitoring records to the Fair Employment Commission.

Mr. Needham: Of the 15 concerns that were prosecuted for failing to make a monitoring return to the commission within the prescribed time, 14 made a late return before the hearing in the magistrates court.

Hazardous Waste

Mr. Hume: To ask the Secretary of State for Northern Ireland what regulations or guidelines govern the transportation of hazardous waste into and within Northern Ireland.

Mr. Needham: Incoming consignments of hazardous waste must conform with the Transfrontier Shipment of Hazardous Waste Regulations (Northern Ireland) 1989 which govern the import of hazardous waste from outside the United Kingdom into Northern Ireland for disposal. Controls on the disposal of hazardous waste within Northern Ireland are provided by the Pollution Control (Special Waste) Regulations (Northern Ireland) 1981.

The transport of hazardous cargoes by sea is regulated by the Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1990 and the Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations 1987 as amended in 1990.

The transport of dangerous substances by road within Northern Ireland is regulated by the Dangerous Substances (Conveyance by Road in Road Tankers and Tank Containers) Regulations (Northern Ireland) 1988 and the Road Traffic (Carriage of Dangerous Substances in Packages etc) Regulations (Northern Ireland) 1988 as amended in 1990.

The following Great Britain documents have been approved for use in Northern Ireland in relation to the transport by road of dangerous substances:

1. Approved Code of Practice—Operational Provisions of the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1986. ISBN 0 11 883898 9.
2. Approved Code of Practice—Operational Provisions of the Dangerous Substances (Conveyance by Road in Road Tankers and Tank Containers) Regulations 1981. ISBN 0 11 883728 1.
3. Approved Code of Practice—Classification and Labelling of Dangerous Substances for Conveyance by Road in Tankers, Tank Containers and Packages (Revision 1). ISBN 0 11 885518 2.
4. Approved Code of Practice—Road Tanker Testing. ISBN 0 11 883811 3.
5. Authorised and Approved List—Approved substance identification numbers, emergency action codes and classifications for dangerous substances conveyed in road tankers and tank containers. (Third edition) ISBN 0 11 885477 1.

Further guidance is contained in:—

1. Health and Safety booklet HS(G)26—Transport of dangerous substances in tank containers. ISBN 0 11 883843 1.
2. A guide to the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1986. Booklet HS(R)24 ISBN 0 11 883899 7.

Mr. Hume: To ask the Secretary of State for Northern Ireland what routes for the transportation of hazardous waste to Maydown have been identified in the context of the proposed siting of a hazardous waste incinerator at Du Pont's Maydown complex.

Mr. Needham: No routes for the transportation of hazardous waste to Maydown have been identified in the context of a proposal to site an incinerator for the disposal of toxic waste at Du Pont (UK) Limited, Maydown, Co. Londonderry.

Petrol Prices

Mr. Mallon: To ask the Secretary of State for Northern Ireland what was the average retail price of petrol at the pumps *(a)* on 16 January and *(b)* currently.

Mr. Needham: At 16 January four-star leaded petrol was 45·4p per litre and unleaded was 42·4p per litre. Currently they are 43·7p and 40·7p per litre respectively.

Environmental Improvement Schemes

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will give details of the environmental improvement schemes *(a)* carried out and *(b)* under consideration, to date, by the Department of Environment, Northern Ireland.

Mr. Needham: To provide details of individual works completed or contemplated would involve disproportionate cost. Details of the expenditure for the 1988-89 and 1989-90 financial years, the expected outturn for 1990-91 and programmed expenditure for 1991-92 under the three main categories of bodies involved in environmental improvement schemes are as follows:

Year	*Departmental schemes*	*Voluntary sector schemes*	*District councils and other public bodies*	*Total*
	£000s	*£000s*	*£000s*	*£000s*
1988-89	2,164	118	1,995	4,277
1989-90	4,210	198	2,431	6,839
1990-91	2,904	199	1,785	4,888
1991-92	3,796	132	1,155	5,083
Total	13,074	647	7,366	21,087

A breakdown of individual bodies within the three categories is listed:

Bodies which have received environmental improvement grants within the three categories of eligibility

Category and Organisation/Division

Departmental
- Belfast development office
- Belfast action teams
- Roads service
- Planning divisions
- Londonderry development office

Voluntary Sector
- Better Belfast
- Conservation Volunteers
- NI Amenity Council
- Connswater environmental committee
- Ligoniel Improvement Association
- Rathcoole community group
- Belfast civic trust

District Councils and Public Bodies
- Belfast city council
- Castlereagh borough council
- Newtownabbey borough council
- NI railways
- Northern Ireland Housing Executive
- Derry city council

Deaf Schoolchildren

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many children from Northern Ireland are at present receiving grant aid from the Department of Education, Northern Ireland, to attend specialist schools for the deaf in the Republic of Ireland.

Dr. Mawhinney: Twenty-three children from Northern Ireland presently attend specialist schools for the deaf in the Republic of Ireland and have their costs met by education and library boards, with the approval of the Department of Education, Northern Ireland.

Common Agricultural Policy Payments

Mr. Denzil Davies: To ask the Secretary of State for Northern Ireland how much the total payments received by the agricultural industry in Northern Ireland were under the common agricultural policy in each of the last three years.

Mr. Hanley *[holding answer 18 February 1991]:* Total expenditure in the United Kingdom under the common agricultural policy in the last three years was:

	£ million
1987-88	1,611·1
1988-89	1,362·9
1989-90	1,230·5

Although it is possible to identify some of the payments which have been made to the agricultural industry in Northern Ireland—details of which are held in the Northern Ireland Appropriation Accounts 1987-88, 1989-90—it is not possible to disaggregate all United Kingdom common agricultural policy expenditure in this way.

FOREIGN AND COMMONWEALTH AFFAIRS

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. Lennox-Boyd: Throughout the Foreign and Commonwealth Office, including the Overseas Development Administration, high-efficiency tubes are being installed under a rolling maintenance programme. Standard light bulbs are being replaced wherever possible by compact fluorescent tubes.

Soviet Union

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made in respect of Mikhail Ziskind of Leningrad and Demitri Yakubovsky of Kiev who have been unsuccessfully applying to leave the Soviet Union.

Mr. Douglas Hogg: We can certainly raise these cases with the Soviet authorities. We have details of the case of Mr. Yakubovsky, but in order to make our representations most effective we shall need further details of Mr. Ziskind's case.

UN Security Council

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer to the hon. Member for Glasgow, Provan of 8 February, *Official Report*, columns 280-81, if he will give the dates of United Nations Security Council meetings held since 16 January at which the situation in the Gulf was discussed.

Mr. Douglas Hogg: The United Nations Security Council met in informal consultations to discuss the situation in the Gulf on 17, 22, 24, 28, 30 and 31 January; and on 6, 8 and 13 February.

The council held a formal session on 13 February at which it was decided talks should take place in private. On the 14, 15 and 16 February the council met in closed session and will resume discussions on 19 February.

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals were put forward by the United Kingdom at the most recent meeting of the Security Council of the United Nations; and how they were received.

Mr. Douglas Hogg *[holding answer 18 February 1991]:* At the meeting of the Security Council on 14 February, the United Kingdom representative proposed that in accordance with rule 48 of the provisional rules of procedure, the council should meet in private session to discuss the Gulf crisis. The British proposal was adopted by 9 votes in favour two against—Cuba and Yemen—and four abstentions. The council met in closed session on 14, 15 and 16 February and will resume discussions on 19 February.

Iraq

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library details, including copies of any letters, of the Iraqi offer to withdraw from Kuwait as discussed by United States officials on 2 January.

Mr. Douglas Hogg: We are aware of no discussion by United States officials on 2 January of an Iraqi offer to withdraw from Kuwait.

Mr. Brian Angel

Mr. Hunter: To ask the Secretary of State for Foreign and Commonwealth Affairs what information, in addition to that referred to in his answer of 3 July 1990, *Official Report*, column *381*, he has received about the outcome of the investigation conducted by Zimbabwean authorities into the murder in Harare of Mr. Brian Angel.

Mr. Lennox-Boyd: The British high commission in Harare has received a copy of the police report on the death of Mr. Brian Angel. An inquest is due to be held in Harare on 1 March 1991. We expect that the police report will form part of the evidence presented at the inquest. A member of the British high commission will be present as an observer.

Antarctica

Mr. Mallon: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he will take to prevent any mineral mining in Antarctica.

Mr. Garel-Jones: The United Kingdom will take no unilateral action concerning mineral activities in Antarctica. We believe that decisions on such activities must be agreed by consensus amongst the Antarctic treaty consultative parties before they are implemented. A consensus on mineral activity has yet to be achieved. However, at the XIth special consultative meeting in Chile in November, the Antarctic treaty parties renewed their agreement to a voluntary restraint on mineral activity in the absence of any formal agreement. The United Kingdom will abide by this voluntary restraint.

Conventional Forces in Europe

Mr. Kirkwood: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress being made on negotiations on the reductions of conventional forces in Europe.

Mr. Douglas Hogg: The first plenary meeting of the resumed CFE follow-on negotiations took place on 14 February. NATO and other delegations underlined the problems created for the follow-on negotiations by doubts over the Soviet Union's intention to comply with certain provisions of the CFE treaty. No new proposals were tabled.

Iran

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the meeting between the Minister of State and the Iranian chargé d'affaires in London on 12 February; what assurances were given about possible Iranian assistance to bring about the release of Mr. Roger Cooper and also of the British hostages held by Arab terrorists in Lebanon; and what response was made to the allegations made by Mr. Khare Qani relating to the fairness of a trial of an Iranian citizen in Britain.

Mr. Douglas Hogg: The Iranian chargé told me that Iran continued to do its best to secure the release of the hostages in Lebanon. I pressed for but received no assurances about Mr. Roger Cooper. It would be improper for me to comment on the trial to which my hon. Friend refers, as it is still before the court.

Romania

Mr. Thurnham: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those voluntary organisations giving aid to Romania, of which his office is aware.

Mr. Douglas Hogg: Since I wrote to the hon. Member on 16 January enclosing a list of British voluntary organisations giving aid to Romania—a copy of which is available in the Library—we have added to the list three more: Caring for Life International, Feed The Children, and Romanian Children's Aid. I shall write to my hon. Friend with full details.

Cash Limits

Mr. Moss: To ask the Secretary of State for Foreign and Commonwealth Affairs if he proposes to make any further changes in his Department's diplomatic wing cash limits for 1990-91.

Mr. Lennox-Boyd: Subject to parliamentary approval of the late spring supplementary estimate the cash limit for class II, Vote 2—other external relations—will increase by £2,500,000 from £187,421,000 to £189,921,000. This is to take account of a contribution to the International Committee of the Red Cross for its humanitarian work in the Gulf. This increase is within the forecast outturn for the planning total published in the statistical supplement to the 1990 autumn statement.

TRANSPORT

Heathrow Airport

Mr. Wilshire: To ask the Secretary of State for Transport if he has any plans to *(a)* shorten the hours when night-flight restrictions apply at Heathrow airport and *(b)* to increase the night-flight quota.

Mr. McLoughlin: No.

Traffic Commissioners

Mr. Spearing: To ask the Secretary of State for Transport if he will state the numbers of staff of the metropolitan and south eastern traffic commissioners, respectively, and the number he expects to staff the proposed south eastern and metropolitan traffic commissioners; how many posts will be eliminated over the range of their functions; and if he will give a breakdown of the expected sum of annual saving in public expenditure.

Mr. Chope: There are 96·5 and 77 complemented staff posts respectively in the metropolitan and south eastern traffic area offices. The planned complement for the new combined south eastern and metropolitan traffic area office is 68 staff. This will reflect the transfer of work between traffic area offices in London, Eastbourne, Bristol and Cambridge. It will also take account of the transfer of staff and responsibility for road traffic enforcement to the Vehicle Inspectorate executive agency on 1 April 1991, and also the transfer of responsibility for vocational driver licensing to the Driver and Vehicle Licensing Agency—DVLA—on the same date.

The savings arising from the redistribution of work in the TAOs should amount to about £650,000 per year of which some £380,000 comes from the closure of the metropolitan traffic area office.

Trunk Roads, Hereford

Mr. Colin Shepherd: To ask the Secretary of State for Transport what proportion of total traffic is formed by trunk road through traffic on the western side of the Hereford ring road south of the A49/A438 roundabout.

Mr. Chope: Approximately 13 per cent., based on 1986 traffic surveys.

Mr. Colin Shepherd: To ask the Secretary of State for Transport what is the current annual spending on maintenance of the trunk road in Hereford that is proposed to be de-trunked; whether he has been asked by Hereford and Worcester county council to undertake any repairs found necessary to the Greyfriars bridge before it is de-trunked; and whether it is his policy that any sum thus incurred will be included in the total cost to his Department of the Hereford bypass for economic evaluation purposes.

Mr. Chope: It is not possible to identify separately details of current expenditure on maintenance for particular lengths of A49 and A465 within Hereford and Worcester proposed for detrunking. Discussions with the Hereford and Worcester county council on the need for repairs to Greyfriars bridge prior to proposed detrunking are yet to be held.

Repairs will be necessary to Greyfriars bridge at some stage and investigations are currently underway to assess the extent of works required. Such costs do not form part of the cost of the Hereford bypass.

Mr. Colin Shepherd: To ask the Secretary of State for Transport what is the additional distance between the A49 (north) and the A465 (south) using the proposed bypass as against using the present inner ring road.

Mr. Chope: Approximately 6·1 km or 3·7 miles.

Mr. Colin Shepherd: To ask the Secretary of State for Transport what proportion of traffic on the proposed Hereford bypass between the A4103 and A438 and between the A438 and B4399 Holme Lecy road would be trunk road through traffic.

Mr. Chope: The details are as follows:

	Approximate proportion of trunk road through traffic	
	Low growth Per cent.	*High growth* Per cent.
(i) Between A4103 and A438	22	24
(ii) Between A438 and B4399	25	27

The proportion of total through traffic on these sections of the bypass is expected to be approximately 30 per cent. of total flow.

Mr. Colin Shepherd: To ask the Secretary of State for Transport if he will list in the *Official Report* the volume of trunk road through traffic passing through Hereford in 1986 and 1990 and projected for the years 1995 and 2010 between *(a)* the A49 (north) and the A49 (south) and *(b)* the A49 (north) and the A465 (south) for the whole day and for the morning peak hour.

Mr. Chope: Using the results from the 1986 surveys and the current range of national traffic growth predictions the details are as follows:

	Average annual daily flows projected			
	1986	*1990*	*1995*	*2010*
A49(N)—A49(S)	1,020	1,300-1,350	1,400-1,550	1,800-2,250
A49(N)—A465(S)	810	1,000-1,050	1,150-1,250	1,450-1,700

Separate estimates for the morning peak hour are not readily available.

Vehicle Registration

Mr. Cohen: To ask the Secretary of State for Transport whether he will arrange for all relevant vehicle registration or licence application forms to carry a statement informing applicants of the items of personal data that will be transferred to the new police national computer; whether he has any estimate of the cost of redesigning such forms so that future reprints carry such a statement; and if he will make a statement.

Mr. Chope: The DVLA registrations under the Data Protection Act 1984 indicate that details from both the vehicle and driver registers are given to the police. Copies of the registrations are freely available from the Data Protection Registrar. There is no requirement under the Data Protection Act to include additional references on application forms to inform individuals and, at present, the DVLA has no plans to do so.

Traffic Penalties

Mr. Batiste: To ask the Secretary of State for Transport what measures he proposes to take to ensure that penalties for the offence of failure to provide information under the Road Traffic Bill take account of the different circumstances of companies and individuals.

Mr. Chope: Companies should have the same responsibility to provide information about drivers alleged to be guilty of road traffic offences as a private individual and it is right that a negligent director or other officer should share in that responsibility. Licence endorsement is not appropriate, however, where the connection with driving is remote. I shall today be tabling an amendment at the Report stage of the Road Traffic Bill to provide that in these cases the penalty should be restricted to a financial penalty.

Motor Sports

Mr. Bowis: To ask the Secretary of State for Transport what measures he proposes to take to respond to concerns about the effects of the new serious driving offences in the Road Traffic Bill on the organisation of motor sports.

Mr. Chope: I am very much aware of the importance of the motor sports industry nationally and of the need to ensure that sporting events which take place off the road are not jeopardised by the risk that the manner of driving might be judged by criteria more appropriate to driving on the public highway. I shall today be tabling amendments to deal with this point at the Report stage of the Road Traffic Bill.

GLC

Mr. Tony Banks: To ask the Secretary of State for Transport what is his estimate of staff numbers in his Department involved in full or part-time work arising from responsibilities transferred from the Greater London Council.

Mr. McLoughlin: The Department assumed the powers of the former Greater London council in respect of 70 miles of roads which are now trunk roads. The Department deals with 215 miles of trunk roads in London. It is not practicable to estimate the number of staff whose work involves the ex-GLC roads. On abolition of the GLC the Department also assumed responsibility for traffic signals and urban traffic control and for running the Woolwich ferry. The Corporation of the City of London acts as the Department's agents for the former and the London borough of Greenwich for the latter, and employ the staff involved.

Transport Commissioners

Mr. Bellotti: To ask the Secretary of State for Transport if he will give consideration to moving the Transport Commissioners to Eastbourne.

Mr. Chope: The traffic commissioner for the present south eastern traffic area is already based in Eastbourne. Under the reorganisation of the traffic areas, which will take effect on 1 June 1991, the traffic commissioner will assume responsibility for the new south eastern and metropolitan traffic area, which will comprise London, Sussex, Surrey and Kent. He will continue to be based in Eastbourne.

Network SouthEast

Mr. Speed: To ask the Secretary of State for Transport if he will make a statement on the current constraints on investment in respect of the investment proposals by British Rail to introduce the Networker 471 train on Kent coast lines in Network SouthEast.

Mr. Freeman: Proposals for the introduction of class 471 Networkers on Kent coast routes are still being assessed by British Rail and my Department has not yet received a detailed investment submission. I understand that British Rail is examining whether the project might be brought forward in the light of other investment priorities and its overall financial situation.

Station Platforms

Mr. Morley: To ask the Secretary of State for Transport (1) whether he will call for a report from the railways inspectorate on the number of stations in British Rail north-east region that do not meet new regulations on platform length; and whether he will make a statement;

(2) whether he will defer any deadline for closure of stations which do not meet the new regulations on platform length in order to allow British Railway to meet new standards.

Mr. McLoughlin *[holding answer 18 February 1991]:* British Rail has no plans to close stations on safety grounds. There are no new regulations on platform length but Her Majesty's railway inspectorate, has asked British Rail to consider a strategy for improving platforms which fall short of the long-established safety standards. Discussion between British Rail and the inspectorate will be resumed when British Rail has identified the stations in need of improvement and quantified the cost of remedial work.

Mr. Morley: To ask the Secretary of State for Transport whether he will provide the additional funding needed to bring stations up to the standard on platform length specified in the new regulations.

Mr. McLoughlin *[holding answer 18 February 1991]:* British Rail is quantifying the work that would be needed to make all existing stations comply with the standard. Only when this study is complete will it be possible for British Rail, in consultation with Her Majesty's railway inspectorate and the Department, to develop a strategy for any necessary station improvements. Overall safety expenditure on the subsidised railway will be supported by means of the public service obligation grant in the normal way.

Airline Companies

Mr. Hoyle: To ask the Secretary of State for Transport what representations he is making to the US Secretary of State for Transportation about his refusal to accept British Airways reduction of fares on flights to the United States of America; if he will discuss this with the other members of the European Community; and whether any counter-measures are being taken against US airlines flying to Britain.

Mr. McLoughlin *[holding answer 18 February 1991]:* My right hon. and learned Friend the Secretary of State made it clear immediately after British Airways' fares proposals were turned down that he was surprised at the decision, particularly since it would disadvantage customers. He urged the US authorities to reconsider but we have just learnt that they are not prepared to do so. We are considering with those involved how best to respond. In the meantime British Airways have put alternative proposals to the US authorities. There are no plans for formal discussions with other members of the European Community.

SOCIAL SECURITY

Severe Weather Payments

Mr. Cox: To ask the Secretary of State for Social Security what is the limit of savings a person can have to qualify for the emergency cold weather payment.

Mr. Scott: Savings over £500—£1,000 for people aged 60 or over—are taken into account on a pound-for-pound basis.

Mr. Meacher: To ask the Secretary of State for Social Security how many persons received severe weather payments in the week beginning 4 February in each of the weather station areas; how many were *(a)* pensioners, *(b)* disabled persons, *(c)* families with young children, and *(d)* other groups; what was the total cost to the Exchequer; and what plans he has to ease the eligibility condition requiring a temperature for seven consecutive days on average below 0 deg. C in further weeks beyond the first when this condition was lifted.

Mr. Scott: Information is not yet available regarding the number of cold weather payments made in the week beginning 4 February. With regard to the temperature criterion for eligibility, I refer the hon. Member to the answer I gave to the hon. Member for Walsall, North (Mr. Winnick) on 15 February at column *630*.

Mr. Blunkett: To ask the Secretary of State for Social Security whether a child with asthma over the age of five years in a family receiving income support, but receiving no invalidity or other additional benefits, is entitled to cold weather payments.

Mr. Scott Cold weather payments are payable to people in receipt of income support, who either have a child under five or whose benefit includes a pensioner or disability premium. Savings over £500—or £1,000 for people aged 60 and over—are taken into account. A family with a child with asthma over the age of five years would be eligible for a cold weather payment if these conditions are satisfied.

Mr. Beith: To ask the Secretary of State for Social Security for what reason the Berwick upon Tweed offices

of his Department indicated to claimants on 14 February that it did not have instructions enabling it to approve payments of severe weather allowance and did not know when such instructions would be received.

Mr. Scott: Instructions concerning the recent changes were issued to all local offices on 8 February and 14 February. Berwick upon Tweed office has confirmed that the first payments under those instructions were made on 14 February.

Departmental Staff

Mr. O'Hara: To ask the Secretary of State for Social Security if he will give the number of liable relative officers at present in his Department; and if he will give a breakdown of their civil service grades and their location in England and Wales.

Miss Widdecombe: The information is not readily available in the format requested and could be obtained only at disproportionate cost.

Residential Homes

Mr. Kirkwood: To ask the Secretary of State for Social Security what plans he has to make the report drawn up by Price Waterhouse surveying residential and nursing home running costs more generally available to interested parties and the general public.

Miss Widdecombe: My right hon. Friend the Secretary of State placed copies of the report in the Library on 24 October last year and officials of the Department have made copies widely available to major interested organisations which are welcome to copy the report to their members.

Backdated Claims

Mr. Kirkwood: To ask the Secretary of State for Social Security how many backdated claims for social security have been received since April 1988 in England and Wales.

Miss Widdecombe: The information is not held centrally and could be obtained only at the disproportionate cost.

National Insurance

Mr. Battle: To ask the Secretary of State for Social Security, pursuant to the reply to the hon. Member for Leeds, West on 6 February, *Official Report*, column *191*, if he will show the main changes to national insurance benefits and the savings or expenditure which accrued from each change since 1979 showing the cumulative effect at 1991 prices.

Mr. Jack: Calculating the cumulative cost over a period of years of the changes listed in my earlier reply would require a detailed year-by-year analysis of many factors, including movements in expenditure on benefits, in prices and earnings indices, and in additional pension and occupational and personal pension entitlements. This calculation could be undertaken only at disproportionate cost.

Retirement Pensions

Mr. Nicholas Brown: To ask the Secretary of State for Social Security if he will estimate the net additional cost of increasing the basic retirement pension for a single person by £5 per week and for a married couple by £8 per week more than the planned uprating for April 1991 assuming *(a)* no corresponding increase in means-tested benefits and *(b)* a corresponding increase in means-tested benefits.

Miss Widdecombe *[holding answer 21 January 1991]:* The net additional cost of increasing the basic retirement pension in this way would *(a)* around £1·6 billion with no corresponding increase in income-related benefits and *(b)* around £2·5 billion with such a corresponding increase.

ENVIRONMENT

Rating Valuation

Mr. Gregory: To ask the Secretary of State for the Environment if he will publish, by valuation office, the number of appeals received relating to rating valuation assessments under the uniform business rate; from what date he expects the first appeals to be held at the North Yorkshire tribunal; and if he will make a statement.

Mr. Key: The table shows the number of proposals by ratepayers to alter their 1990 rating assessments, to insert new entries in the rating list and to alter assessments which have been revised by the valuation officer for each valuation office in England in respect of the period from 1 April to 31 December 1990.

The North Yorkshire valuation and community charge tribunal is currently completing hearings of residual appeals against the 1973 valuation list. It expects to commence hearings of appeals against the 1990 rating list from May.

Numbers of proposals received for alteration of 1990 rating lists

Office	*(1)*	*(2)*	*(3)*
Alnwick	3,429	1	195
Aylesbury	6,323	1	82
Barking	2,703	2	36
Barnet	3,041	1	7
Barnstaple	2,603	32	183
Basingstoke	4,406	—	96
Bath	2,774	2	9
Bedford	4,477	—	52
Birmingham	13,745	22	44
Bolton	4,376	2	112
Boston	2,746	22	60
Bournemouth	5,646	66	55
Bradford	5,442	2	102
Brighton	5,893	12	51
Bristol	6,612	13	102
Bromley	6,835	10	44
Burnley	5,750	1	70
Cambridge	4,654	6	75
Camden	5,433	11	16
Carlisle	3,736	276	37
Chatham	3,972	—	142
Chelmsford	6,920	—	11
Chester	4,692	2	23
City of London	10,099	5	448
Colchester	6,344	32	55
Coventry	4,751	—	61
Crewe	4,559	—	45
Darlington	4,153	1	62
Derby	4,472	—	88
Doncaster	4,490	—	45
Dorchester	3,045	248	40
Durham	3,523	—	29
Ealing	5,068	6	69
Eastbourne	3,381	2	52
Enfield	4,438	1	63
Exeter	5,465	186	89
Folkestone	4,153	67	47

Office	(1)	(2)	(3)
Gloucester	5,361	25	229
Greenwich	5,276	4	42
Grimsby	2,467	2	129
Guildford	5,310	—	29
Halifax	5,916	—	188
Hammersmith	5,235	13	29
Harrogate	4,465	2	123
Harrow	4,661	1	116
Hull	4,861	15	140
Ipswich	4,669	109	23
Islington	6,660	46	79
Kensington & Chelsea	4484	8	45
Kidderminster	5,709	—	132
Lambeth	2,854	9	23
Lancaster	6,286	29	44
Leeds	8,941	—	88
Leicester	4,645	—	45
Lichfield	5,630	2	42
Lincoln	3,402	—	78
Liverpool	10,083	1	80
London Support Unit	6,333	12	77
Loughborough	3,484	5	25
Manchester	7,655	11	116
Mansfield	3,269	—	55
Matlock	3,695	16	51
Merton	4,656	4	113
Middlesbrough	7,634	1	74
Newcastle	7,288	7	22
Northampton	5,254	—	36
Norwich	6,782	18	157
Nottingham	5,164	—	69
Oxford	7,111	20	26
Peterborough	5,491	19	128
Plymouth	3,815	325	28
Portsmouth	4,956	77	72
Preston	4,596	1	90
Reading	7,602	—	146
Redbridge	3,530	—	21
Reigate	6,078	1	117
Richmond-upon-Thames	3,447	6	110
Rochdale	4,188	4	22
St. Albans	5,518	2	199
St. Austell	5,498	1,826	70
Salford	5,500	—	31
Sandwell	3,833	2	46
Sheffield	5,947	—	53
Shrewsbury	4,202	6	60
Southampton	6,581	2	147
Southwark	3,603	1	21
Stevenage	5,245	—	49
Stockport	4,316	8	16
Stoke-on-Trent	5,691	1	29
Sunderland	7,530	14	351
Swindon	3,596	4	34
Taunton	4,642	5	129
Tower Hamlets	3,549	—	59
Tunbridge Wells	5,105	3	159
Ulverston	3,637	476	26
Wakefield	5,263	—	99
Warrington	6,315	—	145
Warwick	4,554	12	140
Westminster	15,503	47	85
Wolverhampton	4,919	5	41
Worcester	6,071	—	123
Worthing	5,104	52	106
York	5,224	216	74
Central List	17	—	—

[1]Proposals made against the 1990 rating lists.
[2]Proposals to insert a new entry into the 1990 rating lists.
[3]Proposals made against VO notices to alter the 1990 rating lists.

Homelessness

Mr. Cox: To ask the Secretary of State for the Environment if, as a matter of urgency, he will contact the Lambeth health authority to discuss the use of the South London hospital for women as a hostel for homeless people on the streets of London; and if he will make a statement.

Mr. Yeo: I understand that the health authority is unable to make the hospital available for use by homeless people, or for other purposes, mainly because ownership of part of the site is at present the subject of an unresolved legal dispute. The Government have funded the provision of 700 additional bed spaces in emergency shelters in London during the very cold weather of the past 10 days. Most of the shelters have been full, but some still have a few spaces for rough sleepers to use. We are providing £96 million over three years to provide sufficient accommodation in hostel places and longer-term housing to ensure that it is unnecessary for anyone to sleep rough.

Community Charge

Sir Eldon Griffiths: To ask the Secretary of State for the Environment, pursuant to his statement on the community charge reduction scheme, how this affects the provision of compensating grant to help make up loss of revenue from United States air force personnel who previously paid rates but are exempt from the community charge.

Mr. Portillo: The statement of my right hon. Friend the Secretary of State about the community charge reduction scheme does not affect the payment of grant to local authorities in respect of members of the United States air force who are exempt from the community charge.

Mr. Critchley: To ask the Secretary of State for the Environment whether he intends to reimburse local authorities for community charge income forgone from service personnel normally resident in their areas who have been posted to the Gulf; and if he will make a statement.

Mr. Key: We propose to introduce a scheme under section 146 of the Local Government and Housing Act 1989 to compensate local authorities for the income forgone where service personnel normally resident in their area have been posted to the Gulf.

Under the proposed scheme, a special grant will be paid to local authorities in respect of service personnel who have ceased to be liable for the personal community charge because they have been posted to the Gulf. The grant will be paid if the income lost to the authority amounts to more than 0·25 per cent. of the total income from personal community charges for the period. Grant will be payable on the excess above this threshold, but will assume that the charge set by the authority was equal to the community charge for standard spending. Grant will be paid for the period beginning on 1 January 1991.

It will not be possible to calculate the full amount of the grant, or the precise amounts to be paid to individual charging authorities, until the duration of the absences of service personnel is known. When those details are available a report will be laid before the House setting out the purpose of the grant, the amount to be paid to each authority and an explanation of how the amounts were calculated.

The Department of the Environment is writing today to notify local authorities of the proposed scheme. The local authority associations are being invited to join in urgent discussions on the arrangements in detail. Local authorities should take these proposals into account when drawing up their budgets and setting their community charges for 1991-92.

My right hon. Friends the Secretaries of State for Wales and for Scotland intend to make similar arrangements for local authorities in Wales and Scotland.

Mr. Steen: To ask the Secretary of State for the Environment how many cases are currently before the courts as a result of failure to pay the community charge; and if he will estimate the costs involved in pursuing those who fail to pay their community charge.

Mr. Key: Information on community charge cases currently before the courts is not held centrally. Figures are not available for the costs of community charge enforcement.

Rent Arrears

Mr. William Powell: To ask the Secretary of State for the Environment if he will give the number of public sector tenants in arrears with their rent in each district of Northamptonshire; and if he will give it as a percentage of all tenants in each authority.

Mr. Yeo: The available information about the numbers of local authority tenants in arrears with their rent in Northamptonshire is in the Chartered Institute of Public Finance and Accountancy publication, "Housing Rents Statistics at April 1990", a copy of which is in the Library.

Nine Elms

Mr. French: To ask the Secretary of State for the Environment what recent representations he has received about the land occupied by the former Nine Elms cold store.

Mr. Yeo: No representations have been received. Since 1988 my Department has had five letters, all from one individual, asking whether there are any current proposals to develop the site.

Planning Policy

Mr. Brandon-Bravo: To ask the Secretary of State for the Environment if he will make a further statement on the strategic guidance which he gives to local planning authorities in former metropolitan counties.

Sir George Young: The Secretary of State has given strategic guidance for London and all the former metropolitan county areas to assist the London borough and metropolitan district councils in the preparation of their unitary development plans. The strategic guidance has been published in Department of the Environment planning policy guidance notes (PPGs) and regional policy guidance notes (RPGs) as follows:

		Date
PPG9	Regional Guidance for the South East	February 1989
PPG10	Strategic Guidance for the West Midlands	September 1988
PPG11	Strategic Guidance for Merseyside	October 1988
RPG1	Strategic Guidance for Tyne and Wear	June 1989
RPG2	Strategic Guidance for West Yorkshire	September 1989
RPG3	Strategic Guidance for London	September 1989
RPG4	Strategic Guidance for Greater Manchester	December 1989
RPG5	Strategic Guidance for South Yorkshire	December 1989

Mr. Steen: To ask the Secretary of State for the Environment how many staff in his Department are involved in drawing up and issuing planning policy guidance notes.

Mr. Yeo: There are some 30 staff in the Department's development plans and development control policy divisions who will have some involvement with drawing up or issuing planning policy guidance notes from time to time. Staff in other policy divisions may also be involved, depending upon the subject of the note.

Mr. Steen: To ask the Secretary of State for the Environment who he consults before issuing planning policy guidance notes.

Mr. Yeo: It is departmental policy to seek the views of a wide range of national bodies, including, for example, local authority associations, professional bodies and conservation and amenity groups, when issuing draft planning policy guidance notes for public consultation. They are publicised and are available to anybody on request.

Mr. Steen: To ask the Secretary of State for the Environment how many planning policy guidance notes have been issued since 1985; and at what cost.

Mr. Yeo: The planning policy guidance note (PPG) series was introduced in 1988. There are currently 16 titles. Three give regional planning guidance, more recent regional planning guidance can be found in the regional planning guidance (RPG) series begun in 1989 which now has five titles. The total publication cost to the Department is £49,509 for the 16 PPGs and £11,553 for the five separate RPGs.

Local Authority Companies

Sir Eldon Griffiths: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a list of the local authority-controlled and local authority-influenced companies, indentifying each by name.

Mr. Portillo: Part V of the Local Government and Housing Act 1989, which establishes these definitions, is not yet in force. Even when it is, my Department has no plans to collect this information.

Planning Enforcement

Mr. Steen: To ask the Secretary of State for the Environment how many staff in his Department deal with planning enforcement; and at what cost.

Mr. Yeo: The numbers of staff and estimated expenditure, including overheads, for the current financial year are as follows:

Policy issues arising under Part VII of the Town and Country Planning Act 1990

1·25 staff units : £49,500

Processing and deciding appeals to the Secretary of State under section 174 of the Town and Country Planning Act 1990
92 staff units : £2·5 million

Mr. Steen: To ask the Secretary of State for the Environment if he will list the local authorities in England and Wales and the estimated cost of planning enforcement in each.

Mr. Yeo: This information is not available centrally. The Chartered Institute of Public Finance and Accountancy compiles annual planning and development statistics. At present, planning enforcement costs are aggregated within estimates of total expenditure on development control by planning authorities. For 1991-92, the institute will be requesting authorities to show estimates of enforcement expenditure separately.

EC Directives

Mr. Janman: To ask the Secretary of State for the Environment (1) under what circumstances his Department would decline to exercise the power of derogation from EC directives which had been granted; and if he will set out those circumstances;

(2) if he will make a statement on his understanding of the difference between the power of derogation from EC directives and the implementation of derogation from EC directives.

Mr. Baldry: We exercise the right to seek and apply derogations from environmental directives when necessary and justified. We would seek a derogation only where we foresaw a clear possibility that it would need to be used.

Local Government Finance

Mr. Cabom: To ask the Secretary of State for the Environment what are the amounts in cash terms for the York city council area *(a)* received from non-domestic rates in 1989-90, *(b)* due to be paid in uniform business rate in 1990-91 and in 1991-92 and *(c)* due from the non-domestic rate pool to York as a receiving authority in 1990-91 and in 1991-92.

Mr. Key: The information for York city council is as follows:

	Year	*£ million*
(a) Receipts from non-domestic rates	1989-90	18·3
(b) Estimated receipts from non-domestic rates in	1990-91	16·6
	1991-92	21·7
(c) Receipts from non-domestic rate pool in	1990-91	23·1
	1991-92	27·7

Figures for receipts of non-domestic rates in 1989-90 and the following years are not on a comparable basis because of extensive changes to the system of local government finance.

Mrs. Peacock: To ask the Secretary of State for the Environment what is the standard spending assessment for highways for Kirklees metropolitan council for 1991-92; and what it was for 1990-91.

Mr. Key *[holding answer 15 February 1991]:* The standard spending assessment for highway maintenance for Kirklees metropolitan council is £14·767 million for 1991-92. In 1990-91 it was £13·583 million.

Mr. Ashley: To ask the Secretary of State for the Environment, pursuant to his reply of 1 February, *Official Report*, column 662, if he will outline why the proposed capital financing element of the standard spending assessment for Stoke-on-Trent was reduced by £407,000.

Mr. Portillo *[holding answer 18 February 1991]:* The final capital financing SSA was £406,568 lower than the provisional figure issued at the time of consultation as a result of using later estimates of credit approvals for Stoke-on-Trent and all other authorities.

Mr. Rooker: To ask the Secretary of State for the Environment if he will make a statement showing how the central Government increase of 23 per cent. in the standard spending assessment for personal social services is affected by the national inflation factor of 9 per cent. in the poll tax capping rules.

Mr. Key *[holding answer 18 February 1991]:* The increase in the standard spending assessments for personal social services reflects the Government's view of the amount of spending which is appropriate taking account of the pressures facing local authorities from service developments, demographic pressures and inflation and of what the country can afford. Under the intended criteria for charge capping, no authority would be capped if it spends at or below its SSA. The intended criteria do not depend on any "national inflation factor".

Mr. Fearn: To ask the Secretary of State for the Environment what information he has on the effects of the community charge on private tenants' housing costs.

Mr. Key *[holding answer 18 February 1991]:* No such information is available.

County Hall, London

Mr. Tony Banks: To ask the Secretary of State for the Environment what offers have been received by his Department and the London residuary body for the purchase or rental of county hall, London SE1.

Mr. Key: Such matters are for the London residuary body and prospective purchasers. No offers have been received by the Department.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will review his decision not to allow the London residuary body to consider the use of county hall, London SE1 for public sector purposes.

Mr. Key: It is the task of the London residuary body to dispose of surplus property. County hall is surplus. The residuary body is free to consider any means of disposal consistent with its obligation to London's community charge payers.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will consider the use of county hall, London SE1 for temporary accommodation of the homeless.

Mr. Yeo: I refer the hon. Member to the answer I gave yesterday to the hon. Member for Leyton (Mr. Cohen), *Official Report*, Vol. 186, column 2.

Greater London Council

Mr. Tony Banks: To ask the Secretary of State for the Environment what is his current estimate of the financial and staff savings arising from the abolition of the GLC; and when the figures were last assessed.

Mr. Key: It was estimated in 1987 that some 6,300 posts had been saved immediately following abolition of the GLC and the metropolitan county councils. The projected long-term annual savings were of some £100 million per annum resulting from staff reductions. Because of the difficulty in disaggregating data relating to functions inherited by successor authorities it is not practicable to produce revised estimates.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will list all the functions and responsibilities currently undertaken by the City of London as a result of GLC abolition.

Mr. Key: Apart from those which fell to London boroughs and the City of London at GLC abolition, responsibilities which have since been transferred by the London residuary body to the City are those in relation to Hampstead Heath and ex-GLC and ex-LRB records.

Mr. Tony Banks: To ask the Secretary of State for the Environment what is his estimate of staff numbers in his Department involved in full or part-time work arising from responsibilities transferred from the GLC.

Mr. Key: No functions were transferred directly from the GLC to the Department of the Environment, but the Department has sponsorship responsibilities for certain bodies with functions arising wholly or partly from the abolition of the GLC. The equivalent of eight full-time staff are estimated to work on these matters.

Estuaries and Wetlands

Mr. Morgan: To ask the Secretary of State for the Environment if he will list those estuaries and wetlands covered by sites of special scientific interest or other nature conservation designations, which are threatened by development proposals.

Mr. Baldry: The information is not held centrally. The Nature Conservancy Council is, however, required to be consulted about all development proposals in sites of special scientific interest. The NCC has undertaken a review of the nature conservation interests of the estuaries of Great Britain. I understand that the full report is due to be published on 25 March.

Vacant Houses

Mr. Dunn: To ask the Secretary of State for the Environment what information he has on the number of houses and flats which have been unoccupied for a period longer than six months for each London borough.

Mr. Yeo: Local authorities report the number of their dwellings which have been vacant for over six months but not more than one year and the number that have been vacant for over one year in their annual housing investment programme returns (HIP1). The latest available figures are for 1 April 1990 and appear in "1990 HIP1 All Items Print," in columns A178 (over six months but not more than one year) and A188 (over one year). A copy of the document is in the Library.

House Condition Survey

Mr. Dobson: To ask the Secretary of State for the Environment whether the forthcoming English house condition survey will include a study of insulation levels and the potential for energy conservation and fuel-efficient heating in the housing stock.

Sir George Young: Yes.

Gulf Oil Slicks

Dr. Hampson: To ask the Secretary of State for the Environment whether he will make a further statment on environmental impact studies by the Natural Environment Research Council related to the Gulf oil spill.

Mr. Heseltine: Two studies have been carried out by the Natural Environment Research Council (NERC) to assist international efforts which are under way to minimise the environmental damage caused by the deliberate release of oil into the Gulf by Iraq. The first study, an assessment of the biological effects of the oil spill on the ecosystem of the Gulf, including its marine wildlife, has been sent to the relevant Government Agencies in Saudi Arabia and in the other Gulf states. The report includes a brief assessment of response options and makes recommendations.

The second study carried out by NERC is concerned with modelling the movement, dispersion, evaporation and solution of the oil released, using tidal and weather data.

I am today placing copies of both the report and a description of the modelling work completed by the NERC in the Library and I am also arranging for this to be presented to the appropriate authorities in Saudi Arabia and the other Gulf states.

Drinking Water

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will publish in the *Official Report* the information available to his Department on the incidence of faecal material in drinking water; and if he will indicate any significant regional variations in such incidence.

Mr. Baldry: The chief drinking water inspector will publish, in the summer, a full report on the quality of drinking water supplied by water companies in England and Wales during 1990

Vacant Land

Mr. Steen: To ask the Secretary of State for the Environment what information he has as to the amount of vacant, dormant, derelict, unused and underused land owned by each Government Department.

Sir George Young *[holding answer 14 February 1991]:* Holdings of unused and underused land in England at 31 March 1990, the latest available date, as reported by the Departments concerned, are shown in the table. Information about health authorities' land is not available. No unused or underused land is held by any other major Departments.

Individual departments are responsible for monitoring and managing their own property holdings. The rationalisation of holdings, the disposal of surplus land and the improvement of systems are encouraged through the public expenditure survey discussions and in other ways.

Unused and underused land held by Departments

	Acres
Ministry of Defence	2,527
Department of the Environment	164
Home Office	299
HM Land Registry	18
Lord Chancellor's Department	9
Department of Transport	1,606

Local Government Review

Mr. Gould: To ask the Secretary of State for the Environment if he will publish the job titles and grades, in full-time equivalents, of staff working on his local government review, including and identifying staff seconded from other Government Departments; and if he will calculate the annual cost of this exercise.

Mr. Heseltine *[holding answer 15 February 1991]:* A team was established within the Department in December 1990 to undertake a thorough review of local government functions, structure and finance. The review team is headed by a grade 4 (director) supported by 22 staff, made of the following grades:

Four at grade 5 (assistant secretary)
Five at grade 7 (principal)
One higher executive officer (development)
Three higher executive officers
Two executive officers
One senior personal secretary
Two administrative officers
Four personal secretaries

Of these staff, one grade 5 and one grade 7 are seconded from the Department of Social Security.

Annual expenditure by the review team is estimated at some £1 million, which breaks down broadly as follows:

	£
Basic salary costs	616,000
Other costs	391,000

Mr. Gould: To ask the Secretary of State for the Environment if any external work has been commissioned for his review of local government; and if any external advisers have been appointed to the review.

Mr. Heseltine *[holding answer 15 February 1991]:* I have not appointed external advisers or commissioned external work in connection with the review. We are, however, consulting widely about the review and have made clear our desire to discuss the issues with local government and opposition parties and our willingness to consider views put to us by individuals and organisations outside Government.

OVERSEAS DEVELOPMENT

Namibia

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will offer aid programmes to help deal with the high rates of maternal death, disability and miscarriage suffered by Namibian women.

Mrs. Chalker: The Namibian Government plan to develop a primary health care system which will place much greater emphasis on maternal health. We have offered to assist in a project to train primary health care trainers, currently being designed by the Ministry of Health with the assistance of Oxfam UK. We are exploring the scope to provide further help in this sector.

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will offer special aid to the Government of Namibia to set up institutional retraining programmes for procedures in dealing with cases of murder, rape, and assault of Namibian women.

Mrs. Chalker: The objective of our current assistance to the Namibian police service is to enable it to respond more effectively to the needs of all sections of the community. Training courses developed by British police advisers, in which local civil and women's rights organisations participate, reflect this objective.

Tamils

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid is being made available by Her Majesty's Government to assist Tamil refugees fleeing from persecution in Sri Lanka and India.

Mrs. Chalker: Help is available in a number of ways. We are providing technical co-operation grants totalling £4 million over three years in support of Save the Children Fund and Oxfam projects in the north and east of Sri Lanka, much of whose effort is directed to refugee relief.

We have also provided emergency relief totalling £445,000 through UNICEF, the UN High Commissioner for Refugees and the International Committee of the Red Cross for their programmes in Sri Lanka.

Forest Charter

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made on the forest charter for UN conference on environment and development, as outlined in the speech of the Minister for Overseas Development to the World Wide Fund for Nature on 11 December.

Mrs. Chalker: A world forest charter remains one of the options for UNCED in 1992, but the international community has yet to agree for which international forest instruments to aim and in what forum negotiations should proceed. We hope that progress will be made at the second meeting of the UNCED preparatory committee, 15 March to 5 April, in Geneva.

Botswana

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the income of commercial cattle farmers in Botswana derived from the beef protocol of the Lomé agreements.

Mrs. Chalker: Under the provisions of the Lomé convention, Botswana receives a quota of 18,916 tonnes of beef exports per annum to the community. It is not possible to estimate the effects of these exports on the incomes of the cattle farmers.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is given by his Department to the Botswana authorities in achieving ecologically sound development.

Mrs. Chalker: We ensure that all projects with which we are involved are environmentally sound in line with procedures laid down in our environmental appraisal manual. We also provide direct assistance to help the Government of Botswana in this area, for example by helping to fund the Government of Botswana's deputy director of wildlife.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many staff members from the ODA are working in Botswana;

(2) if he will specify the position and responsibility of all ODA staff and consultants funded by the ODA currently working in Botswana;

(3) how many ODA staff and consultants funded by the ODA are currently seconded to the Botswana authorities.

Mrs. Chalker: The following positions in Botswana are held by staff fully or partly funded by ODA:

Ministry of Agriculture
1 Deputy director—veterinary Services
6 Senior veterinary officers
1 Veterinary research officer
2 Agricultural research officers
1 Weed research officer
1 Agricultural economist

Ministry of Education
1 Principal—Botswana polytechnic
1 Head of department science
1 Head of department electrical engineering
1 Head of department civil engineering
1 Head of department vocational training
4 Lecturers—technical education
1 Lecturer—civil engineering
2 Lecturers—mechanical engineering
1 Lecturer—mathematics
1 Lecturer—telecommunications
1 Lecturer—electrical engineering
1 Lecturer—computing
1 Lecturer—science
3 Headmasters
3 Deputy headmasters
1 Curriculum development officer
1 Inservice maths teacher trainer
4 Inservice technical education teacher trainers
3 Inservice English teacher trainers
1 Finance officer
1 Scientific instruments technician

Ministry of Health
1 Orthopaedic surgeon
1 Specialist physician
1 Gynaecologist
2 Nurse tutors
1 Paediatrician

Ministry of Finance
3 Computer programmers
2 Training officers
1 Finance officer
1 Customs officer
1 Internal auditor
1 Statistician

Ministry of Lands and Local Government
1 Director—department of wildlife
3 Senior surveyors
1 Senior lands use planning officer
3 Senior lands officers

Ministry of Works & Communications
1 Director
1 Deputy director—roads department
3 Senior roads engineers
1 Quantity surveyor
2 Architects
1 Senior mechanical engineer
1 Electrical engineer
1 Mechanical engineer
1 Design technician

Ministry of mineral resources and water affairs
1 Hydrological engineer
2 Hydrogeologists
1 Water engineer
1 Geologist
1 Economist
1 Finance officer

Police and legal assistance
3 Assistant Police Commissioners
1 Assistant Registrar
1 Privy state counsel

Computer bureau
1 Micro-computer specialist
1 Training specialist

University of Botswana
1 Professor of Biology
1 Chemistry Lecturer
1 Engineering Lecturer
1 Computer services manager

Consultants
"Makoro Ltd."
2 Consultants assisting in the preparation of National Development Plan 7

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs in which projects in respect of dredging the Boro river ODA staff members or consultants have been involved.

Mrs. Chalker: None.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what ODA staff or consultants working in Botswana have been involved in developing plans to cull elephants in that country;

(2) in what projects relating to buffalo control ODA staff members or consultants have been involved in northern Botswana;

(3) if any ODA staff or consultants have been involved in developing plans for the disposal of elephant ivory; and if he will make a statement.

Mrs. Chalker: The deputy director of wildlife in Botswana is employed by the Government of Botswana. His post is partially funded by the ODA, but we have no power of direction over policies adopted by the Government of Botswana. The department of wildlife covers all aspects of wildlife planning and management in Botswana.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has regarding veterinary advice given to the Botswana authorities by the United Kingdom and the EC regarding the need to construct a steel fence in the Okavango delta in Botswana.

Mrs. Chalker: None. The alignment of fences surrounding parts of the Okavango delta has been determined by the Government of Botswana themselves, following close consultation between the interested Government departments including the department of wildlife, and the department of animal health, and with local communities. Great care has been taken to minimise the impact on wildlife.

While neither the ODA nor the EC has provided veterinary advice on the need to construct fences, the ODA part-funds members of staff in the departments of wildlife and of animal health.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice was given by the Overseas Development Administration or EC aid agencies in respect of the case for, or environmental impact of, the construction of a steel fence in the Okavango delta in Botswana.

Mrs. Chalker: None.

South African Development Bank

Sir Eldon Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Overseas Development Administration works with the South African Development Bank in promoting economic and social enhancement projects in southern Africa; if he will publish examples of the activities in which both these agencies have been and are jointly engaged; and what information he has on links between German, Dutch and French Governments' overseas development agencies and the South African Development Bank.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what contact and co-operation currently exists between the Overseas Development Administration and the Development Bank of South Africa.

Mrs. Chalker: My officials from ODA have held discussions with those from the Development Bank of Southern Africa on a number of occasions. The two organisations have not engaged in any joint activities. We do not have information readily available on links between the Development Bank of Southern Africa and other overseas development organisations.

HOUSE OF COMMONS

Stationery

Mr. Wigley: To ask the Lord President of the Council if he will list the number and quantities of chlorine-free and recycled paper products bought for the use of the House in 1990.

Mr. MacGregor: The number and quantities of recycled paper products bought for the use of the House in 1990 by HMSO were:

		Quantity
Pre-paid white envelopes	(23-146)	250,000
Pre-paid buff envelopes	(HC 130)	322,500
Pre-paid buff envelopes	(HC 131)	66,000
Various buff stock envelopes		[1]—
Compliment slips		20,000
Printed memos	(HC 91B)	3,000
Printed memos	(HC 92B)	3,000
Printed memos	(HC 93B)	3,000
A4 die-stamped letterheadings	(19-116)	250,000
A4 typing topsheets	(19-30)	30,000
A5 typing topsheets	(HC 66)	20,000
File covers	(6-59 and 6-56)	[1]—
Ruled writing paper	(18-165)	[1]—
Toilet tissue	(13-22 and 13-34)	[1]—

[1] Quantities of these items are not available without incurring disproportionate cost.

Because of the unknown origins of waste materials used for recycled papers, it is not possible to give accurate guidance on the presence of chlorine in the listed products.

European Organisations

Sir Geoffrey Finsberg: To ask the Lord President of the Council what decisions have been reached concerning the improvement of communications facilities between the House, the Western European Union and the Council of Europe.

Mr. MacGregor *[holding answer 18 February 1991]:* The Select Committee on House of Commons (Services) last week approved in principle the provision to Members of free postage and telephone calls to certain European institutions.

These will largely comprise the main institutions of the European Community, but, as I have already indicated in correspondence with my hon. Friend, it is intended that direct dialling facilities should also be made available from the start to the Council of Europe in Strasbourg and the assembly of the Western European Union in Paris, and it is my hope that the new postage arrangements will similarly extend to these institutions.

Subject to the approval of the House of Commons Commission, which has financial responsibility for the provision of postal and telephone services, it is hoped that the new arrangements can be brought into effect early in the next financial year. A further announcement will be made in due course.

SCOTLAND

Jordanhill College

Mr. Sillars: To ask the Secretary of State for Scotland if he will show the number of places available at Jordanhill College of Education for the BEd degree course in the present academic year and for next year.

Mr. Michael Forsyth: In the current academic session there are 671 funded places in the primary BEd course at Jordanhill college of education. In session 1991-92 the number of funded places will rise to 711.

House Revaluation

Mr. Bill Walker: To ask the Secretary of State for Scotland what arrangements he intends to make for 1991-92 to continue phasing in the effects of the 1990 revaluation.

Mr. Lang: We are committed to limiting annual increases in non-domestic rate bills resulting from revaluation to a maximum of 20 per cent. in real terms, and to only 15 per cent. for those ratepayers occupying properties with rateable values of less than £10,000. These arrangements will continue, but I intend to provide additional protection next year in the case of part-residential properties such as small hotels and guest houses with rateable values of less than £10,000. The increase in notional rateable values for these properties in 1991-92 will be limited to 10 per cent.

In order to maintain the level of non-domestic rate income to authorities this year we arranged to limit decreases in non-domestic rate bills resulting from revaluation to 11·5 per cent. in real terms, and to 16·5 per

cent. for those ratepayers occupying properties with rateable values of less than £10,000. The limits for those who benefited from the revaluation will reduce by a further 11·5 per cent. and 16·5 per cent. in real terms in 1991-92.

These changes will be set out in regulations which I shall lay before Parliament in the near future. The regulations will prescribe the multipliers to be applied to the rateable values of properties in the valuation roll on 31 March 1990 to determine the upper and lower notional rateable values for the purpose of calculating non-domestic rate bills for 1991-92. The multipliers for the upper limits will be 1·936 for properties with rateable values as at 1 April 1990 of £10,000 or more, 1·778 for those with rateable values of less than £10,000 and 1·701 for part-residential properties with values of less than £10,000. The multipliers for the lower limits will be 1·052 for properties with rateable values as at 1 April 1990 of £10,000 or more and 0·937 for those properties with values of less than £10,000.

Assisted Places

Mr. Bill Walker: To ask the Secretary of State for Scotland if he has decided on the level of fee remission grant which will be available to parents under the assisted places scheme in school session 1991-92.

Mr. Michael Forsyth: My right hon. Friend is making £8·492 million available for fee remission in 1991-92. As in 1990-91, 59 schools across Scotland will participate in the scheme. The funding now available should increase the number of pupils benefiting towards the planned level of about 3,000 by the end of the session.

Local Health Councils

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what steps he is taking to ensure that members of local health councils fully reflect the views of the community they serve.

Mr. Michael Forsyth *[holding answer 18 February 1991]:* Health boards have been advised to ensure that council members are drawn from throughout their area and that selection is made after consultation with all appropriate bodies.

Health Records

Mr. David Marshall: To ask the Secretary of State for Scotland what is the total sum paid by the Scottish Home and Health Department to the firm GPASS for computerising health centre records; and how many general practitioners and how many sites are covered by the work done.

Mr. Michael Forsyth: GPASS is an NHS-managed and funded computerised administration system for general practitioners and is in direct competition with commercial suppliers of GP computer systems. The cost of developing and maintaining the system is therefore commercially confidential and it would be inappropriate to divulge this information. The latest figures available indicate the GPASS software is used by 2,212 GPs in 622 practices which equates to nearly 66 per cent. of GPs and 55 per cent. of practices in Scotland.

THE ARTS

School Libraries

Mr. Flannery: To ask the Minister for the Arts what plans he has to update his survey into school libraries.

Mr. Renton: School libraries are the responsibility of my right hon. and learned Friend the Secretary of State for Education and Science.

"School Libraries: the Foundations of the Curriculum" was a report of a working party set up by the Library and Information Services Council for England to consider the future of school library services. There are no plans to update this, but the council maintains a regular interest in school libraries and associated services.

AGRICULTURE, FISHERIES AND FOOD

New Forest

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what restrictions are placed on the holding of cash collections in the New Forest by Forestry Commission byelaws; and under what circumstances and by what authority these byelaws may be waived.

Mr. Curry: The Forestry Commission byelaws do not place any restrictions on the holding of cash collections in the New Forest.

Battery Farms

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many battery hen farms were visited by his Department's veterinary inspectors in each of the last five years; and what other efforts are made by his Department to monitor compliance with the code of recommendations for the welfare of domestic fowl.

Mr. Maclean: The information requested could be obtained only at disproportionate cost.

Officers of the state veterinary service monitor welfare whenever they visit livestock farms and will advise farmers on the welfare codes whenever necessary.

Tobacco

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what was the total sum devoted by the EC to tobacco production in the most recent annual period for which figures are available; and how much was expended by the community in the storage and export of such EC produced tobacco.

Mr. Curry: I refer my hon. Friend to the reply I gave him on 11 February, *Official Report*, col. *376*.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. Curry: As part of the Department's campaign to save energy by all practical means, more energy-efficient lighting has been installed in our regional office at Reading

and is currently being installed in the headquarter offices in Whitehall and Whitehall place and in the central science laboratory at Slough. In other locations similar measures are under consideration and these will be carried forward wherever practicable.

Botswana (Beef Imports)

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food how much beef on average is imported into the United Kingdom from Botswana each year.

Mr. Curry: Imports into the United Kingdom of fresh, chilled and frozen beef and veal from Botswana over the most recent three years for which figures are available are as follows:

(tonnes product weight)

Year	*Quantity*
1989	4,848
1988	2,600
1987	2,499

Source: Her Majesty's Customs and Excise.

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what information he has on the import by the EC of beef from Botswana

Mr. Curry: Under the Lomé convention the Community provides a reduced levy annual import quota for 18,916 tonnes of beef from Botswana. In the last three years for which figures are available the following quantities of beef have been imported into the Community:

	Tonnes
1989	9·988
1988	6·118
1987	8·322

Source: Eurostat.

NATIONAL FINANCE

Income Tax

Mr. David Shaw: To ask the Chancellor of the Exchequer what is the latest forecast collection of receipts from the higher rate of income tax in 1990-91; and what was the comparable figure for the collection of receipts from the higher rates of income tax in 1978-79.

Mr. Maude: In 1978-79 income tax liability at the higher rate was about 9 per cent. of total income tax liability. In 1990-91 it is estimated that liability at the higher rate will be about 20 per cent. of total liability.

TESSAs

Mr. French: To ask the Chancellor of the Exchequer how many financial institutions known to him have introduced tax-exempt special savings accounts.

Mr. Maude: A total of 150 so far.

Mr. French: To ask the Chancellor of the Exchequer what is his estimate of the level of savings deposited in tax-exempt special savings accounts.

Mr. Maude: It is too early to make a firm estimate.

Banks (Loans to Employees)

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what information he has concerning the number of employees who currently receive loans at non-commercial rates from employers in the banking and financial sectors.

Mr. Maude *[holding answer 15 February 1991]:* I have no firm data on the number of banking and financial sector employees currently receiving cheap loans from their employers.

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what assessment he has made of the influence on the effectiveness of his interest rate policy of the current policy of many banks in making reduced-rate loans to their employees.

Mr. Maude *[holding answer 15 February 1991]:* I have made no such assessment.

Reduced-rate Mortgages

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what estimate he would make of the annual value to an employee with an average-sized mortgage on his home of a reduced-rate 5 per cent. loan from his employer compared to a similar employee borrowing a similar amount at commercial rates.

Mr. Maude *[holding answer 15 February 1991]:* The value for 1990-91 for a basic rate taxpayer is just over £2,000 after taking account of mortgage interest tax relief.

Reduced-rate Loans

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer whether he has any plans to treat reduced-rate employee loans as a taxable perk; and if he will make a statement.

Mr. Maude *[holding answer 15 February 1991]:* The benefit of interest free or cheap loans provided for employees by employers is already taxable as a benefit-in-kind.

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what estimate he makes of the potential revenue to the Exchequer if reduced-rate employee loans were treated for tax purposes in a similar manner to company cars.

Mr. Maude *[holding answer 15 February 1991]:* The estimated yield for 1990-91 from the existing tax charge on loans made to employees by their employers is £65 million.

Married Women's Income Tax

Mr. Flynn: To ask the Chancellor of the Exchequer what is his estimate of the annual income tax payable under the new arrangements by married women with a gross daily income of *(a)* £0·5 million, *(b)* £1 million and *(c)* £1·8 million.

Mr. Maude *[holding answer 18 February 1991]:* If all the income were subject to tax and the only relief available were the personal allowance, the income tax liability for 1990-91 would be:

(a) £72,995,693
(b) £145,995,693
(c) £262,795,693

Wine Imports

Dr. David Clark: To ask the Chancellor of the Exchequer what was the quantity of wine imported into Britain from non-EC countries, giving the country, and also the import levy paid for each of the last five years.

Mrs. Gillian Shephard *[holding answer 18 February 1991]:* Wine from non-EC countries has not been liable to import levy during the last five years although an import duty may be payable.

I regret that the detailed breakdown which the hon. Member requests would be available only at disproportionate cost. But the "Overseas Trade Accounts", copies of which are in the Library, show that the total quantities of wine imported from non-EC countries in each of the last five years were as follows:

Imports of Wine from Non-EC Countries

Year	*Quantity (Tonnes)*	*(Litres)*	*Value (£000s)*
1986	54,183	47,992,883	31,245
1987	66,014	56,942,130	41,361
1988	74,302	63,360,450	59,037
1989	78,316	67,262,938	68,427
1990	94,883	79,006,661	89,054

EMPLOYMENT

Disabled People

Mr. McMaster: To ask the Secretary of State for Employment how many employers employed at least five per cent. of their workforce from people who are registered as disabled in 1990 in *(a)* the United Kingdom, *(b)* Scotland, *(c)* Strathclyde region and *(d)* Renfrew district.

Mr. Jackson: The information requested is not collected centrally. It could be obtained—in respect of employers in Scotland, Strathclyde region, Renfrew district and separately in Great Britain and Northern Ireland—only at disproportionate cost.

Mr. Ashley: To ask the Secretary of State for Employment if he will list the names of all the organisations which submitted a response to the consultative document, "Employment and Training for People with Disabilities".

Mr. Jackson: My Department has received responses from 333 organisations. My noble Friend Lord Ullswater will write to the right hon. Member with a list of the organisations and place a copy of his reply in both Libraries.

Mr. Dunnachie: To ask the Secretary of State for Employment what measures he intends to introduce to allow people with disabilities to participate fully in the work force.

Mr. Jackson *[holding answer 18 February 1991]:* My Department already operates an extensive range of measures designed to help people with disabilities to participate fully in the workplace. These services and schemes were recently reviewed, following which we invited comments on a number of issues and proposals from a wide range of interested parties. We are presently considering responses to these consultations and will decide what changes to the existing measures are required in the light of comments received.

Fit-for-Work Awards

Mr. McMaster: To ask the Secretary of State for Employment how many fit-for-work awards were given to employers in the last year in *(a)* the United Kingdom, *(b)* Scotland, *(c)* Strathclyde region and *(d)* Renfrew district.

Mr. Jackson: Questions on operational matters in the Employment Service executive agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Public Sector Pay

Mr. Higgins: To ask the Secretary of State for Employment if he will list the public sector pay negotiations he expects to be concluded in the next six months.

Mr. Forth: The timing of the conclusion of public sector pay negotiations is a matter for the employing organisations and the unions concerned.

Euratom

Mr. Flynn: To ask the Secretary of State for Employment when and where European Community directives 80/836 Euratom and 84/467 Have been implemented in United Kingdom law.

Mr. Forth: European Council directive 80/836/Euratom, as amended by European Council directive 84/647/Euratom, was implemented in the United Kingdom in 1985. The bulk of the requirements were covered by the Ionising Radiations Regulations 1985 and supporting approved code of practice. The residual requirements were covered by existing legislation:

The Radioactive Substances Act 1960.
The Food Act 1984.
The Medicines (Administration of Radioactive Substances) Regulations 1978.

Vocational Training

Mr. Morgan: To ask the Secretary of State for Employment what consultations he has had with the chairman of South Glamorgan TEC regarding the setting up of a centre of excellence in the vocational training field in Cardiff.

Mr. Jackson: My department has had no consultations with the chairman of the South Glamorgan TEC about the establishment of such a centre.

Mr. Morgan: To ask the Secretary of State for Employment if he will institute a study jointly with South Glamorgan TEC into the most convenient location or locations for vocational training activities dependent on public funds.

Mr. Jackson: TECs contract with my Department to meet the training needs of their local communities. It is for the TEC and their providers to determine the most convenient locations for training.

Training and Enterprise Councils

Mr. Morgan: To ask the Secretary of State for Employment what duties training and enterprise councils have in the field of urban regeneration.

Mr. Jackson: TECs contract with my Department to meet the training and enterprise needs of their local communities, including urban areas where relevant.

Astra Training Services

Mr. Morgan: To ask the Secretary of State for Employment what consultations he has had with the chairman of the South Glamorgan TEC concerning the cessation of Astra Training Services activities at the skill centre, Western avenue, Galbalfa, Cardiff, and any alternative arrangements to accommodate Astra at premises owned by Cardiff Bay development corporation.

Mr. Jackson: I have had no such consultations.

TRADE AND INDUSTRY

Paper Industry

Mr. Wigley: To ask the Secretary of State for Trade and Industry whether he will make it his policy to restrict the import of chlorine-bleached pulp into the United Kingdom.

Mr. Leigh: Pulp mills in Sweden are going over to other methods of bleaching and those in north America are refining their methods to produce much lower levels of dioxins. United Kingdom industry is voluntarily going over as quickly as possible to wood pulp bleached by other methods, or to unbleached pulp. So there is no need to restrict imports.

Trust Ports

Ms. Walley: To ask the Secretary of State for Trade and Industry if he will list and place in the Library copies of all the reports which his Department's marketing initiative has requested relating to trust ports, including that by GP Wild International Ltd. in February 1990.

Mr. Leigh: No. All consultants' reports produced as a result of projects carried out under my Department's consultancy initiatives scheme are commercially confidential in nature. It would not be appropriate therefore for me to list or place in the Library copies of such reports.

1851 Exhibition

Mr. Barry Field: To ask the Secretary of State for Trade and Industry when the holder of his office last attended a meeting of the royal commissioners for the exhibition of 1851.

Mr. Leigh: According to the royal commissioners' records, neither the current Secretary of State for Trade and Industry nor the holder of his office has attended commissioners' meetings in the past five years.

Software Directive

Miss Emma Nicholson: To ask the Secretary of State for Trade and Industry (1) if he will reconsider the proposed language of the EC software directive to ensure that legitimate activities, hitherto legal under United Kingdom law, do not become inadvertently violative of copyright;

(2) what work his Department has undertaken to study the legislative implications in the United Kingdom of the draft EC software directive.

Mr. Leigh: My Department has kept legislative implications continually under review during negotiations on the directive. The Department's assessment of those implications was set out in the explanatory memorandum submitted to the Scrutiny Committee on 20 November 1990. The directive will require member states to give copyright protection to computer programs as literary works, which is already the case in the United Kingdom. The protection affordable and the legality of current activities will not change to any significant degree.

Bottled Gas

Mr. Gareth Wardell: To ask the Secretary of State for Trade and Industry (1) if he will publish in the *Official Report* the percentage increase in the price of bottled gas since the beginning of the Gulf crisis;

(2) what representations he has received regarding recent changes in the price of bottled gas.

Mr. Redwood: My Department does not collect information on price changes for bottled gas. I have received a number of representations about increases in the price of liquefied petroleum gas following recent developments in the Gulf. Copies of all correspondence received have been passed to the Director General of Fair Trading who is making some inquiries into recent changes in the price of LPG. His purpose is to establish whether action is warranted under the competition legislation.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for Trade and Industry what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. Leigh: The Department's energy efficiency unit is tasked with promoting energy efficiency awareness in all the Department's accommodation management teams, including awareness of the benefits to be gained from energy-efficient lighting.

The Department incorporates energy-efficient lighting schemes in all its building modernisation projects.

FIMBRA

Mr. French: To ask the Secretary of State for Trade and Industry if he has any plans to review the role, responsibilities and funding of FIMBRA.

Mr. Redwood: These are matters for the Securities and Investments Board.

Insolvency

Mr. Janner: To ask the Secretary of State for Trade and Industry how many directors were disqualified under the Insolvency Act 1986 during each of the years 1987, 1988, 1989 and 1990, respectively; and how many individual and how many corporate insolvencies there were in each of those years.

Mr. Redwood: There are no provisions in the Insolvency Act 1986 which disqualify directors but every individual who is declared bankrupt by the courts is prohibited from acting in the management of a company for the duration of the bankruptcy, usually three years.

There were provisions relating to director disqualification in the Insolvency Act 1985 and the Companies Act

1985. However, these were consolidated into the Company Directors Disqualification Act 1986. The number of directors disqualified under these Acts and the number of individual and corporate insolvencies from 1987 to 1990 are as follows:

	Corporate insolvencies	Individual insolvencies	Disqualification orders
1987	15,030	7,427	193
1988	14,226	8,507	333
1989	16,305	9,365	352
1990	23,630	13,987	382

There were 561 disqualification applications against directors awaiting hearing by the courts as at 31 December 1990.

Kuwait (Reconstruction)

Mr. Madden: To ask the Secretary of State for Trade and Industry if he will list the 168 firms mentioned in his letter to hon. Members on 12 February concerning the reconstruction of Kuwait; and if he will explain the basis on which these firms have been selected.

Mr. Lilley: Details of these companies are set out in the prospectus on "Restructuring Kuwait", copies of which are in the Library of the House. They were selected as providing good examples of United Kingdom industry's experience and capabilities in the areas likely to be of greatest importance for the reconstruction of Kuwait, in close consultation with the six Government-industry sectoral sub-groups which are co-ordinating the United Kingdom's proposals. The prospectus recognises that there are many other British companies capable of assisting Kuwait.

Major Shareholdings Directive

Mr. Butler: To ask the Secretary of State for Trade and Industry when he expects to publish a consultative document on implementation of the EEC major shareholdings directive.

Mr. Redwood: My Department has today published a consultative document on proposals for implementing the EC directive on the information to be published when a major shareholding in a listed company is acquired or disposed of. Copies are being placed in the Library. The closing date for comments on the proposals is 15 April.

Citizens Advice Bureaux

Mr. Tom Clarke: To ask the Secretary of State for Trade and Industry if he will make a statement on the funding over the next three years of DTI grant in aid to the National Association of Citizens Advice Bureaux and Citizens Advice Scotland.

Mr. Leigh *[holding answer 11 February 1991]:* Details of the DTI grant in aid to NACAB and CAS for the next three years are not available. Expenditure plans for 1991-92 will be published next month in the supply estimates.

Mr. Tom Clarke: To ask the Secretary of State for Trade and Industry when he last met representatives of the National Association of Citizens Advice Bureaux to discuss Department of Trade and Industry grant in aid.

Mr. Leigh *[holding answer 11 February 1991]:* Ministers from my Department meet NACAB from time to time to discuss matters of mutual concern, including funding. The last such meeting was on 11 October when the then Minister for Consumer Affairs, Lord Hesketh, met the chairman and some of the members of the NACAB council.

Secondment of Staff

Mr. Tom Clarke: To ask the Secretary of State for Trade and Industry how many secondments there are in his Department from *(a)* the Confederation of British Industry and *(b)* the Trades Union Congress.

Mr. Leigh *[holding answer 11 February 1991]:* None.

Export Credits

Mr. Cousins: To ask the Secretary of State for Trade and Industry what were the total amounts of the cover provided, and expenditure incurred, by the insurance services division of the ECGD and what proportion of these sums relates to the export of services through the years 1983 to 1990.

Mr. Leigh *[holding answer 12 February 1991]:* In the financial years 1983-84 to 1989-90, ECGD insurance services covered short-term exports worth £82·5 billion of which 1·6 per cent. related to the export of services.

ECGD's published annual trading accounts include an analysis of the costs of operating ECGD as a whole but do not separately identify the costs of operating the insurance services group.

EC Consumer Policy

Mr. Wray: To ask the Secretary of State for Trade and Industry what progress the Council of Ministers and the European Commission have made in securing common policies at EC level to protect consumer interests.

Mr. Leigh *[holding answer 12 February 1991]:* The Government's White Papers on developments in the European Community, which are published every six months, list measures which have been agreed by the Council of Ministers. A Council resolution on future priorities for relaunching consumer protection policy was adopted in November 1989. Draft directives on general safety, unfair terms in consumer contracts and liability for services have been submitted to the Council by the Commission.

Inward Investment

Mr. Morgan: To ask the Secretary of State for Trade and Industry what is his best estimate of the percentage of United Kingdom inward investment projects going to *(a)* Wales, *(b)* Scotland and *(c)* the northern region of England as measured by jobs promised in the period (i) April to October 1989, (ii) October to March 1989-90 and (iii) April to October 1990.

Mr. Leigh *[holding answer 14 February 1991]:* The table sets out the number of investment decisions known to the Invest in Britain Bureau for the periods 1 April 1989 to 30 September 1989, 1 October 1989 to 31 March 1990 and 1 April to 30 September 1989 and the jobs anticipated for each of the regions specified as a proportion of total inward investment known for the United Kingdom during those periods.

The decisions recorded include the establishment of new business, expansion or acquisition of an existing business and involvement in joint venture. The figures are based on information provided by the companies themselves at the time of the investment and take no account of subsequent developments.

Inward Investment decisions and expected new jobs from April 1989—October 1990, broken down into 6 month periods for Wales, Scotland and North East England as a proportion of the total

	Wales		Scotland		North East		Total numbers of	
	Projects	Jobs	Projects	Jobs	Projects	Jobs	Projects	Jobs
1 April to 30 September 1989	12·4	15·6	10·6	19·2	10·6	15·9	161	17,030
1 October 1989 to 31 March 1990	22·8	7·6	9·3	29·0	9·8	6·4	193	15,661
1 April to 30 September 1990	16·9	9·5	10·4	31·8	13·0	8·9	154	12,028

Mr. Morgan: To ask the Secretary of State for Trade and Industry what is his best estimate of the percentage of United Kingdom inward investment projects going to *(a)* Wales, *(b)* Scotland and *(c)* the northern region of England as measured by capital investment in the period (i) April to October 1989, (ii) October to March 1989-90 and (iii) April to October 1990.

Mr. Leigh *[holding answer 14 February 1991]:* The information requested by the hon. Gentleman is unavailable.

Departmental Purchases

Mr. Flynn: To ask the Secretary of State for Trade and Industry what proportion of *(a)* the furniture and *(b)* office equipment and computers purchased by his Department since 1979 was made in the United Kingdom; and what is his Department's policy towards purchasing foreign goods where a British supplier is available.

Mr. Leigh *[holding answer 18 February 1991]:* Details of the British-made proportion of DTI purchases since 1979 in the categories listed are not maintained centrally.

The Government's policy is that Departments should base all procurement of goods and services on value for money, including quality (or fitness for purpose) and delivery against price. In accordance with that policy, goods and services are acquired by competition unless there are convincing reasons to the contrary. Under EC rules, and the GATT Government procurement agreement where appropriate, my Department is obliged to award relevant contracts in accordance with prescribed procedures aimed at avoiding discrimination on grounds of nationality.

Bankruptcies

Dr. David Clark: To ask the Secretary of State for Trade and Industry if he will list the bankruptcies or receiverships in industry, by sector, specifying in particular coal mining, ship building, iron and steel, and agriculture, for each year from 1979 until the latest available date.

Mr. Leigh *[holding answer 18 February 1991]:* The available information on company insolvencies in England and Wales and in Scotland is published in the annual reports on companies; that on personal insolvencies in England and Wales is in the annual report on bankruptcy up to 1987, and for 1988 and 1989 in the annual report on insolvencies. Copies of these publications are available in the Library of the House of Commons.

Consumer Protection

Mr. Nigel Griffiths: To ask the Secretary of State for Trade and Industry if he will give figures for forecast outturn for 1990-91 and planned expenditure for 1991-92 to 1993-94 for *(a)* consumer and investor protection, including separately (i) nationalised industries consumer councils, (ii) miscellaneous consumer protection and advisory services, (iii) investor protection and *(b)* regulation of trade and consumer protection grants in aid including separately, (1) the National Association of Citizens Advice Bureaux and the Scottish Association of Citizens Advice Bureaux, (2) consumer groups councils and (3) the Royal Society for the Prevention of Accidents.

Mr. Leigh *[holding answer 18 February 1991]:* For each of the services mentioned, the forecast outturn for 1990-91 was reflected in the winter supplementary estimate for class IV vote 2, and planned provision for 1991-92 will be set out in the supply estimates to be published in March. The Department's overall plans for expenditure on statutory and regulatory work, including technological support, and consumer protection are set out in "The Government's Expenditure Plans 1991-92 to 1993-94: Trade and Industry" (Cm. 1504).

DEFENCE

The Gulf

10. **Mr. David Nicholson:** To ask the Secretary of State for Defence if he will make a statement on the development of and support given to groups assisting the families of those serving in the Gulf.

Mr. Archie Hamilton: The services have a well-established structure which combines the work of official and voluntary organisations in the support of personnel and their families. Since deployment to the Gulf began, steps have been taken to provide increased welfare support to families and we are particularly grateful for the many offers of help we have had from groups and individual people. We have encouraged the establishment of local Gulf support groups and contact points for them have been set up in the Ministry of Defence.

17. **Mr. McAllion:** To ask the Secretary of State for Defence what are his estimates of the cost of replacing equipment lost in the Gulf war to date.

Mr. Tom King: To date the value of equipment lost and ammunition consumed since hostilities began is approaching £250 million. No decisions have yet been taken on the replacement of lost equipment.

18. **Mr. Parry:** To ask the Secretary of State for Defence what information he has on the level of civilian casualties in the Gulf war.

Mr. Tom King: Allied policy is to attack only military targets and facilities supporting Iraq's occupation of Kuwait. Great care is being taken to minimise the risk of injuring civilians and we greatly regret any that occur. Iraq has made various claims, but we have no way of checking them.

19. **Mr. Mullin:** To ask the Secretary of State for Defence what is his latest estimate for the cost of the British contribution to the Gulf operation; and if he will make a statement.

Mr. Tom King: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Beaconsfield (Mr. Smith) earlier today.

21. **Mr. Litherland:** To ask the Secretary of State for Defence what steps he has taken to monitor radioactive fallout following air strikes on nuclear installations in Iraq.

Mr. Archie Hamilton: I refer the hon. Member to the reply I gave to the hon. Member for Edinburgh, Central (Mr. Darling) on 29 January, at column *504*. We have no evidence of any release of radioactivity from Iraq's nuclear installations.

22. **Mrs. Fyfe:** To ask the Secretary of State for Defence what is his latest estimate of the number of persons killed on both sides in the Gulf war.

Mr. Archie Hamilton: I refer the hon. Member to the reply I gave to the hon. Members for Vauxhall (Miss Hoey) and for Leyton (Mr. Cohen) on 18 February at column *62*.

24. **Mr. Home Robertson:** To ask the Secretary of State for Defence if he will review his "Options for Change" proposals in the light of experiences in the Gulf conflict.

Mr. Archie Hamilton: The Gulf conflict does not invalidate the work done so far on "Options for Change", which reflects the need to retain the capability to react to such emergencies. However, we will ensure that lessons learnt in the Gulf are incorporated in our planning.

Mr. Speed: To ask the Secretary of State for Defence if he has any plans to deploy fixed-wing naval aircraft in the Gulf.

Mr. Archie Hamilton: The Ministry of Defence has no plans at present to deploy fixed-wing naval aircraft to the Gulf.

Mr. Strang: To ask the Secretary of State for Defence how many qualified plastic surgeons are available in the middle east to deal with burns and soft tissue injuries.

Mr. Archie Hamilton: It is not our practice to give details of support provision for the Gulf operation. Sufficient plastic surgery facilities are available in theatre to deal with burns and soft tissue injuries before medical evacuation of casualties to the United Kingdom.

Mr. Fisher: To ask the Secretary of State for Defence (1) whether the tour of duty of television correspondents currently with British troops in the Gulf has been extended;

(2) whether he will publish a table showing the proposed dates of rotation for television correspondents attached to allied troops in the Gulf.

Mr. Archie Hamilton: The Ministry of Defence has not established a fixed programme for rotation of TV correspondents attached to British units in the Gulf.

Atomic Weapons Establishment

20. **Mr. Hunter:** To ask the Secretary of State for Defence what representations he has received recently about the Government's proposed contractorisation of AWE.

Mr. Kenneth Carlisle: Recently I have received a number of written questions from right hon. and hon. Members which have, in the main, raised various concerns, in particular the future of pensions and other conditions of service for AWE personnel. There have also been similar letters from individual members of the AWE staff.

Brawdy Defence Establishment

23. **Mr. Alan W. Williams:** To ask the Secretary of State for Defence if he would make a statement on the future of the defence establishment at Brawdy in Dyfed.

Mr. Archie Hamilton: We are continuing to examine the scope for rationalisation across the range of defence activities. Any decisions will be announced in the normal way.

Defence Review

25. **Mr. Cran:** To ask the Secretary of State for Defence whether any further progress has been made in his Department's review of Britain's defence commitments.

Mr. Archie Hamilton: As my right hon. Friend the Secretary of State indicated on 21 January, *Official Report*, column 103, we are continuing to study the proposals in "Options for Change" which were announced last July. We intend to proceed with rationalisation and other support changes where these do not affect our efforts in the Gulf.

The Gulf conflict does not invalidate the approach we took last summer, which foresaw the need to retain the capability to react to such emergencies. However, the lessons learnt in the Gulf will be incorporated in our planning in due course.

Holy Loch Base

26. **Mr. Andrew Welsh:** To ask the Secretary of State for Defence if he will make a further statement on the reduction of United States navy personnel at the Holy Loch submarine base at Faslane.

29. **Mr. Salmond:** To ask the Secretary of State for Defence if he will make a further statement on the reduction of United States navy personnel at the Holy Loch submarine base at Faslane.

Mr. Archie Hamilton: As my right hon. Friend the Secretary of State for Defence said on 5 February, the United States navy will, by the end of this year, no longer have a requirement for its submarine support facility at the Holy Loch and this facility will therefore close. The exact

date of closure has yet to be determined, but is likely to be some time in 1992. The Royal Navy base at Faslane is unaffected by the United States decision to withdraw from the Holy Loch.

European Co-operation

27. **Mr. Dunn:** To ask the Secretary of State for Defence if he has any plans to meet the Secretary General of NATO to discuss European co-operation; and if he will make a statement.

Mr. Archie Hamilton: My right hon. Friend has regular meetings with the Secretary-General of NATO. Their next scheduled meeting is in the spring. A range of defence issues will be discussed.

Staff Relocation

28. **Mr. Holt:** To ask the Secretary of State for Defence on how many occasions in the past five years Defence Department Ministers have made parliamentary statements concerning the relocation of MOD staff subsequently to renege on the promises given.

Mr. Kenneth Carlisle: None. Of course, during the planning stages all relocation proposals are kept under review to ensure that they continue to meet the requirement to be operationally and economically viable.

Departmental Achievements

Mr. Pawsey: To ask the Secretary of State for Defence if he will make a statement on the principal achievements of his Department since June 1987.

Mr. Tom King: The Ministry of Defence has continued its work, in concert with other Government Departments, to sustain national security, principally through a resolute commitment to the North Atlantic alliance. We have played a full part in NATO's response to changing security circumstances in Europe, as outlined in the London declaration of July 1990.

We are looking at "Options for Change" in our own armed forces to reflect the improved security situation in Europe, which should allow us to maintain strong defences with lower levels of armed forces.

Following Iraq's unprovoked invasion of Kuwait, British forces are now engaged in the international effort to secure Iraqi withdrawal and to restore international peace and security in the area, in accordance with United Nations Security Council resolutions.

We have supported and contributed to NATO's efforts to establish closer relations with the Soviet Union and the countries of eastern Europe, and have been actively engaged in European arms control talks. We have worked to strengthen the European pillar of the alliance, and through our chairmanship of the independent European programme group have helped to promote closer European co-operation in defence.

We continue to seek greater efficiency in the management of defence and are implementing a number of programmes to safeguard and build upon the Department's generally good record of protecting the natural environment.

British Aerospace plc

Mr. Spearing: To ask the Secretary of State for Defence what conditions Her Majesty's Government places on its contracts with British Aerospace plc concerning the locations where consequential manufacturing and employment occurs.

Mr. Alan Clark: As a general rule, my Department does not, in its contracts with British Aerospace or any other company, stipulate where work is to be carried out.

Ceremonies

Mr. Harry Greenway: To ask the Secretary of State for Defence what is the current estimated annual cost of ceremonial horses and soldiers in the defence budget; what percentage of the whole budget this represents; and if he will make a statement.

Mr. Archie Hamilton: Members of the Household Division and King's Troop Royal Horse Artillery are required to perform both military and ceremonial duties and therefore it is not possible, without disproportionate effort and cost, to separately identify the personnel costs of each of these roles. However, the Household Cavalry Mounted Regiment and King's Troop Royal Horse Artillery have approximately 400 horses which are used for ceremonial duties at an estimated cost of £0·47 million for financial year 1990-91. This represents 0·0022 per cent. of the defence budget.

Iraqi Nationals

Mr. Darling: To ask the Secretary of State for Defence what is the status of Iraqi nationals held at Roleston; and by what authority they are held there.

Mr. Archie Hamilton: The Iraqi nationals at Rollestone are considered to be members of the Iraqi armed forces and, as such, are being held in accordance with the provisions of the 1949 Geneva convention relating to prisoners of war.

British Airways Tristars

Mr. Speed: To ask the Secretary of State for Defence what discussions his Department is having with British Airways about purchasing its redundant Tristar aircraft.

Mr. Alan Clark: None.

HMS Endurance

Mr. Barry Field: To ask the Secretary of State for Defence whether HMS Endurance will end active duty at the end of her current cruise.

Mr. Archie Hamilton: No such decision has been taken.

Written Answers to Questions

Wednesday 20 February 1991

THE ARTS

Royal Opera House

Mr. Bowis: To ask the Minister for the Arts what representations he has received concerning Mr. Ewen Balfour; and if he will make a statement on the public accountability of the Royal Opera house, Covent Garden in respect of matters for which he is responsible.

Mr. Renton: I have received one letter about Mr. Balfour from a member of the public as well as a copy of my hon. Friend's letter to Lord Sainsbury, chairman of the Royal Opera house. The Royal Opera house is a revenue client of the Arts Council and is therefore directly accountable to the Arts Council on matters relating to its artistic and financial performance. The council is, in turn, accountable to me for the efficient administration of its grant in aid. Grant allocations to individuals clients is a matter for the Arts Council.

NATIONAL FINANCE

Taxes and National Insurance

Mrs. Dunwoody: To ask the Chancellor of the Exchequer what is his most recent forecast for the proportion of non-oil gross domestic product that taxes and national insurance contributions will represent in 1990-91.

Mr. Maples: The autumn statement forecast was 37¼ per cent.

Election Expenses, Wrexham

Dr. Marek: To ask the Chancellor of the Exchequer, pursuant to his answer of Wednesday 13 February, *Official Report*, column 479, if he will detail the expenses of the Wrexham parliamentary constituency at the 1987 general election met from the Consolidated Fund under each of the subheads of the Returning Officer's Expenses Regulations 1987, SI 1987, No. 899.

Mr. Maples: The information is as follows:

		£
A1-III	ARO's Fee	1,073·16
B1	Presiding Officers	4,225·00
B2	Poll Clerks	5,329·92
B3	Preparation of Poll Cards	603·66
B4	Clerical Payments	3,050·43
B5	Travel Expenses (ARO/DRO)	87·45
B6	Travel Expenses (Poll clerks and Presiding Officers)	623·45
B7	Travel Expenses (Other staff)	340·20
B8	Printing of ballot papers	902·52
B9	Printing of poll cards	401·62
B10	Printing of notices	488·21
B11	Renting of buildings	2,537·89
B12	Adaptation of buildings	3,635·00
B13	Ballot boxes	—
B14	Conveyance of ballot boxes	35·00
B15	Stamping Instruments	19·50
B16	Copies of register	25·60
B17	Stationary, postage etc	1,014·67
Total		24,393·28

European Currency Unit

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer why he has issued a public loan based on the European currency unit; how much has been raised; and what is the interest rate.

Mr. Maples: The issue of a bond denominated in ecu shows the importance the Government attach to the strengthening of London's leading position in this growing market and demonstrates our commitment to the development of the ecu. The offer is for 2·5 billion ecu. The bonds carry a coupon of 9⅛ per cent. priced at par.

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer what consultation he has had with the institutions of the EC about his decision to raise a loan in European currency units.

Mr. Maples: None.

Mr. Teddy Taylor: To ask the Chancellor of the Exchequer for what purposes his new European currency unit loan will be used.

Mr. Maples: The United Kingdom Government's 2½ billion ecu issue shows the importance we attach to strengthening London's leading position in this growing market and demonstrates our commitment to the development of the ecu. The proceeds will be added to our gold and foreign currency reserves.

Capital Gains Tax

Mr. David Shaw: To ask the Chancellor of the Exchequer what information he has on the rates of capital gains tax in EC and G7 countries and the Soviet Union.

Mr. Maude: The latest available information on EC and G7 countries is given in the table, which is supplemented by notes. No information is available on capital gains tax in the Soviet Union.

Countries have widely differing procedures for calculating the taxable proportion of a gain, and in many cases rates of tax depend on the type of asset on which the gain is made and the period for which the asset has been held. In most EC and G7 countries the gains of individuals and companies are added to income and taxed at the ordinary income or corporation tax rate as appropriate, but various reliefs and exemptions may apply.

The majority of these countries have no equivalent to indexation which substantially reduces the effective rate of tax in the United Kingdom and Ireland. Some countries have no equivalent of the £5,000 annual exemption in the United Kingdom. Where there is such an exemption, it is generally very much lower than in the United Kingdom.

Country	Nominal rates of tax on gains of individuals Per cent.	Companies Per cent.
EC		
Belgium	0-33[1]	41[2]
Denmark	exempt or 22-68[3]	50
France	16 or 5-56·8[4]	34[5]
Germany	19-53	50
Greece	exempt or 10-25[6]	46
Ireland	30-50[7]	30-50[7]
Italy	10-50[8] plus 16·2 local tax	36 plus[9] 16·2 local tax
Luxembourg	10-56[10]	34 plus local tax (7·2-12)
Netherlands	35·75-60[11]	35
Portugal	exempt or 10[12]	36·5
Spain	25-56	35
United Kingdom	25 or 40[13]	25 or 35[13]
Other G7		
Canada	17-29[14] plus provincial tax	38 plus[14] provincial tax
Japan	10-50 plus local taxes 5-15[15]	37·5 plus local taxes 17-20
USA	15 or 28[16] plus state tax	15-34 plus[16] state tax

[1] Gains are generally exempt, but some speculative gains are taxed at up to 33 per cent.
[2] Some gains are exempt and long-term gains are taxed at 20·5 per cent.
[3] A special flat rate of 50 per cent. applies to investment gains if the seller has a "substantial interest" in the company.
[4] The 16 per cent. rate applies to some gains including those on the sale of certain unquoted shares and shares which constitute a substantial interest in a company.
[5] Some long-term corporation gains are taxed at lower rates of 19 or 25 per cent.
[6] Gains on moveable assets, including shares, are not taxed. Gains on immovable assets are subject to capital gains tax at varying rates depending on period for which asset was held.
[7] Rates depend on period for which asset was held.
[8] Gains only taxed if deemed to be derived from business assets sold within five years of date of acquisition.
[9] Corporate gains not taxed if allocated to a special reserve or are reinvested within two years.
[10] Gains on sale of immovable property held between two and 10 years are taxed at half the average rate on the individual's total income.
[11] Gains on sale or private assets are exempt.
[12] Only 50 per cent. of the gain on some types of asset is subject to tax.
[13] The charge is confined to post-March 1982 indexed gains. Individuals are exempt from tax on gains not exceeding £5,000.
[14] Three quarters of post-1971 gains are included in income and taxed at appropriate rates. Provincial rates vary. Rates in Ontario, the most populous province, are 53 per cent. of federal income tax for individuals and 10 to 15·5 per cent. of gains for corporations. For individuals there is a cumulative exemption on gains up to a lifetime limit of $100,000.
[15] Gains by individuals taxable only if deemed to be business transactions.
[16] Most states impose a state tax on both individuals and companies. In California, the most populous state, the top rate of 9·3 per cent. produces effective maximum rates of approximately 34 per cent. for individuals and 40 per cent. for companies.

Civil Service Relocation

Mr. Devlin: To ask the Chancellor of the Exchequer if he will make a statement on the Government's policy on the relocation of Government Departments from London to the regions.

Mrs. Gillian Shephard: I refer my hon. Friend to the answer I gave on 23 January 1991, at columns *217-18*, to my hon. Friend the Member for Gedling (Mr. Mitchell).

Manufacturing Trade

Mr. O'Hara: To ask the Chancellor of the Exchequer what is the cumulative total of annual manufacturing trade balance of payments deficits between *(a)* 1975 to 1979 and *(b)* 1979 to 1990.

Mr. Maples: The latest information is available in table A9 of the monthly review of external trade statistics and its annual supplement, available in the Library of the House, or on the Central Statistical Office database, which may also be accessed through the Library.

Overseas Trade Statistics

Mr. Ian Taylor: To ask the Chancellor of the Exchequer what action he intends to take to ensure that overseas trade statistics will be published and available following the agreement of the House of Commons (Services) Committee that a return of statistics relating to overseas trade need no longer be laid before the House.

Mr. Maples: Following consultation with the House authorities and with the approval of the House of Commons (Services) Committee, it has been agreed to cease the requirement for overseas trade statistics (OTS) to be laid before the House.

The OTS will continue to be published by HMSO for the Central Statistical Office as a monthly and annual business monitor, (MM20 and MA20) "Overseas Trade Statistics", copies of which are and will continue to be available in the statistical section of the Library (and by green demand forms from the Vote Office). Summary information held on the CSO's database in the form of time-series can also be obtained by the Library.

Third World Debt

Mr. Tom Clarke: To ask the Chancellor of the Exchequer what is the current total of outstanding debt owed to the United Kingdom by third world countries.

Mr. Maples *[holding answer 11 February 1991]:* The total amount of debt owed to the United Kingdom Government by developing countries is currently about £7·3 billion.

Mr. Tom Clarke: To ask the Chancellor of the Exchequer what is the current annual value to the United Kingdom of debt interest payments from the third world.

Mr. Maples *[holding answer 11 February 1991]:* The United Kingdom Government received about £150 million in interest on outstanding debt from developing countries in 1989-90.

Inland Revenue Office, Glenrothes

Mr. McLeish: To ask the Chancellor of the Exchequer if he will outline *(a)* the number of jobs to be created by the opening of a new Inland Revenue office at Saltire house in Glenrothes, *(b)* how many jobs will be recruited locally and *(c)* what steps are being taken to advertise and recruit local staff.

Mr. Maude *[holding answer 12 February 1991]: (a)* It is not possible at present to specify the exact number of new jobs that will eventually arise. The office will have 45 staff by April this year and will build up, mainly from

January 1992, towards full staffing in the second quarter of 1992. On current planning assumptions it is expected that there will be up to some 250 part-time and full-time jobs at that time.

(b) Most of the staff that are setting up the office have been transferred from nearby Inland Revenue offices. However, about 20 per cent. of those in post by April this year are expected to be new recruits from the local area, and it is planned that most of the additional staff required subsequently will be obtained as far as possible by local recruitment.

(c) The recruitment will be carried out in accordance with the guidelines laid down by the Civil Service Commission for all Government Departments. The Inland Revenue will notify the local careers office and job centre about the posts and will consider advertising in the local press as necessary.

Mr. McLeish: To ask the Chancellor of the Exchequer what plans he has to open a new Inland Revenue office at Saltire house in Glenrothes; and if he will make a statement.

Mr. Maude *[holding answer 12 February 1991]:* The Inland Revenue opened a new office at Saltire house in Glenrothes on 7 January 1991. The office is one of a number of new Inland Revenue offices opening throughout the United Kingdom in 1991 and early 1992. They will handle claims for repayments of tax, most of which will arise from the change in the taxation of interest from banks, building societies and other deposit-takers that comes into effect on 6 April 1991.

Investment

Dr. David Clark: To ask the Chancellor of the Exchequer if he will give the figures for investment in industry by sector in cash and real terms for each year from 1979 until the most recent period; and if he will make a statement.

Mr. Mellor *[holding answer 18 February 1991]:* The latest estimates of the volume of investment by manufacturing industry were published in the CSO press notice "Capital Expenditure: Provisional Estimates for Q4 1990" on 14 February, available in the House of Commons Library. The most up-to-date estimates for other industries may be obtained from the CSO databank, a collection of macro-economic time series in computer-readable form to which the Library has direct access.

Business investment reached an all-time high in 1989 —53 per cent. higher than its 1979 level.

Oil Tax

Mrs. Beckett: To ask the Chancellor of the Exchequer what was the total tax on North sea oil production, including royalties, paid by oil companies monthly from August 1989 to the present time; and if he will include any other revenues from petroleum products in that total.

Mr. Maples: The table shows tax receipts on North sea production and other taxes on petroleum products.

£ million

	Tax on North sea production	*Hydrocarbon oil duties*	*VAT on petroleum products (quarterly)*
August 1989	318	747	—
September 1989	205	739	290
October 1989	357	708	—
November 1989	68	765	—
December 1989	252	735	290
January 1990	193	698	—
February 1990	85	710	—
March 1990	679	708	290
April 1990	89	851	—
May 1990	87	802	—
June 1990	−15	839	320
July 1990	88	813	—
August 1990	106	847	—
September 1990	489	817	340
October 1990	517	776	—
November 1990	313	804	—
December 1990	−145	802	—

Taxes on North sea production include royalties, petroleum revenue tax and North sea corporation tax before ACT set-off. Receipts of hydrocarbon oils duties are published by the Central Statistical Office in "Financial Statistics". The figures for VAT on petroleum products are estimates, based on quarterly consumers' expenditure data.

Departmental Expenditure

Mr. Leighton: To ask the Chancellor of the Exchequer if he will set out in the *Official Report* the reasons for the regional per capita distribution of departmental expenditure shown in annex 2 of the first report of Session 1990-91 from the Treasury and Civil Service Committee on the 1990 autumn statement—House of Commons Paper No. 41.

Mr. Mellor: Responsibility for allocation of departmental expenditure between regions lies with individual Departments. Questions about variations in expenditure between regions are matters for the responsible Department.

Savings

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will publish an analysis of United Kingdom savings totals by type of investment or investment product for the most recent three years for which figures are available.

Mr. Mellor: The table gives, for the period 1987-1989, the latest estimates of amounts invested—inflows net of realisations—by the United Kingdom personal sector in a range of financial instruments which are used to a considerable degree, if not exclusively, as repositories of savings. It is not possible to quantify total savings with precision because of the dual-purpose nature of many of these instruments; equally, other forms of asset, such as property, may at times be regarded by their owners as having a "savings" aspect as well as their primary function.

	1987 £ million	*1988* £ million	*1989* £ million
Life assurance and pensions	21,700	22,396	30,482
National Savings	2,439	1,409	−1,520
Building society deposits	13,635	20,165	17,461
Sterling time deposits with United Kingdom banks	771	8,092	10,968
Unit trusts units	3,239	− 248	− 719
British government securities	1,826	− 3,633	− 3,088
United Kingdom company securities	−9,850	−12,233	−18,398

Statistical series measuring the personal sector's net acquisition of these and other financial assets are published in the CSO's "Financial Statistics" and can also be found on the CSO database which is accessible through the Library.

Composite Rate Taxation

Mr. Lawson: To ask the Chancellor of the Exchequer what is his estimate of *(a)* the loss of revenue and *(b)* the increase in administration costs arising from the abolition of the composite rate of tax in the 1990 budget.

Mr. Norman Lamont In principle composite rate tax would produce the same yield as the system which is replacing it, but there are behavioural and timing effects which affect receipts. An estimate of the effect on receipts was given in the Financial Statement and Budget Report 1990-91. An updated estimate will be published in this year's Financial Statement and Budget Report.

The estimated increases in the Inland Revenue's administration costs in the current year and the next three years are approximately £55 million in 1990-91, £165 million in 1991-92, £110 million in 1992-93 and £90 million in 1993-94.

Exchange Rates

Mr. Shore: To ask the Chancellor of the Exchequer whether, if the pound sterling reaches its floor within the ERM, there is any limit to the extent of funds which would be made available to support it from the central banks.

Mr. Norman Lamont *[holding answer 19 February 1991]:* I refer the right hon. Gentleman to the reply my right hon. Friend the former Chancellor of the Exchequer gave him on 22 October 1990, *Official Report*, columns *9-10*.

EDUCATION AND SCIENCE

Advisory Body for the Research Councils

Mr. Butler: To ask the Secretary of State for Education and Science if he will state the purpose of the ABRC's flexibility margins.

Mr. Alan Howarth: When my right hon. and learned Friend announced the allocation of the science budget for 1991-92, and of the planning figures for 1992-93 and 1993-94 on 24 January, *Official Report* columns *286-87*, he indicated that £39 million and £60 million remained unallocated in the latter two years and that he was expecting further advice on the distribution of those sums from the Advisory Board for the Research Councils in the spring. By that time the board will have received and considered the programme plans for the period 1992-93 to 1994-95 from each of the funded bodies.

CERN

Mr. Butler: To ask the Secretary of State for Education and Science if he will state the reasons for the unpredicted rise in the British subscription to CERN.

Mr. Alan Howarth: The CERN budget for the forthcoming year is finalised each December by the CERN council, on which the United Kingdom is represented. Each member state's contribution is determined on an agreed formula based on relative GNP. The likely level of the United Kingdom subscription is therefore known in advance of the preparation of Supply estimates each year. The exact amount due is finalised during the year in question in the light of current United Kingdom/Swiss exchange rates and other relevant factors.

As my reply to my hon. Friend on 4 February 1991, *Official Report*, columns *8-9*, showed, the United Kingdom's subscription to CERN has in fact been reduced since 1987-88.

Secondary School Pupils

Mr. Ian Taylor: To ask the Secretary of State for Education and Science what is the cost of educating a secondary school pupil in *(a)* Surrey, *(b)* Kingston and *(c)* Sutton; what is the inter-authority recoupment payment between those authorities in respect of secondary pupils; and what provision is made to ensure that a school enjoys the full benefit of inter-authority recoupment payments which are made in respect of out-county pupils.

Mr. Fallon: In 1988-89, the latest year for which data are available, the school-based spending per secondary school pupil was £1,635 in Surrey, £1,905 in Kingston-upon-Thames and £1,630 in Sutton. Inter-authority recoupment rates are determined by local authorities and information on actual payments between individual authorities is not collected centrally. However, the inter-authority recoupment rates recommended by local authority associations for secondary school pupils in 1988-89 were £1,982 per pupil aged under 16 and £3,064 per pupil aged over 16 educated in the outer London area, which includes Kingston-upon-Thames and Sutton; and £1,889 per pupil under 16 and £2,920 per pupil over 16 educated in the London fringe area, which includes Surrey. These payments are to cover both school-based and central local education authority spending. Under

authorities' schemes for the local management of schools, a school receives the same funding for all pupils of the same age—with a different weighting for different subjects in sixth forms under some authorities' schemes—whether such pupils are the financial responsibility of the providing or a different authority.

Higher Education

Mr. Anthony Coombs: To ask the Secretary of State for Education and Science whether he intends to hold back grant from the higher education funding councils next year in respect of pay settlements for lecturers in higher education.

Mr. Kenneth Clarke: Yes. My Department has written to the two higher education funding councils to convey my decision to hold back a proportion of grant for 1991-92 to be released in the event of pay settlements satisfying specified conditions. The sums withheld are £22 million in the case of the Universities Funding Council and £134 million for the Polytechnics and Colleges Funding Council. Copies of the letters are being placed in the Library of the House.

NORTHERN IRELAND

Nursing Homes

Rev. William McCrea: To ask the Secretary of State for Northern Ireland how many beds are available in public nursing homes for the elderly; and what was the equivalent number five years ago.

Mr. Hanley: None. The health and social services boards have never been involved in the provision of nursing homes in Northern Ireland.

Rev. William McCrea: To ask the Secretary of State for Northern Ireland how many *(a)* private nursing homes and *(b)* private residential homes there are in each of the health board areas in Northern Ireland.

Mr. Hanley: The information is as follows:

(a) At 31 December 1990, the latest date for which information is held centrally, the number of registered nursing homes in Northern Ireland was as follows:

Board	*Private homes*	*Voluntary homes*
Eastern	62	4
Northern	50	2
Southern	24	5
Western	17	—

(b) At 31 March 1990, the latest date for which information is held centrally, the number of registered homes for persons in need was as follows:

Board	*Private homes*	*Voluntary homes*
Eastern	66	30
Northern	37	9
Southern	21	3
Western	[1]3	[1]5

[1] The figures supplied in respect of the Western Board relate to 31 March 1989 as the information relating to 31 Maarch 1990 is not yet available.

WALES

Science Parks

Mr. Barry Jones: To ask the Secretary of State for Wales how many science parks there are in Wales.

Sir Wyn Roberts: There are currently seven science parks in Wales, Aberystwyth science park, Cardiff business technology centre, Menai technology enterprise centre—MENTEC—Newtech science park, University College of Swansea innovation centre, Wrexham technology park and the Mid Glamorgan science park at Bridgend.

In addition, there are plans for the Imperial College science park at Duffryn, Gwent.

Company Losses

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the companies, and the numbers involved, which have ceased trading, gone into receivership and announced redundancies in each of the counties of Wales since 1 June 1990.

Mr. David Hunt: Figures for company failures are maintained and published by the Department of Trade and Industry on an England and Wales basis. Separate official figures for Wales are not available. Provisional figures provided by the Department of Employment on notified redundancies in Wales during the period June to December 1990 are as follows:

	Numbers
South Glamorgan	500
Mid Glamorgan	1,520
West Glamorgan	560
Gwent	911
Dyfed	137
Clwyd	520
Gwynedd	67
Powys	46
Wales	4,261

Over the same period, Welsh Development International recorded 83 new inward investment projects for Wales promising capital investment of £327 million and more than 5,000 new jobs.

Lithotripsy

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects to see the installation of lithotripters in north and south Wales for the use of NHS patients; and if he will make a statement.

Mr. Nicholas Bennett: An all-Wales project group is presently considering the need for and specification of lithotripter facilities for Wales and appraising location options. The group is expected to report shortly.

Labour Statistics

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of manufacturing jobs lost in Wales since 1 June 1990; and if he will make a statement.

Mr. David Hunt: Comprehensive information regarding jobs lost in the manufacturing industry in Wales is not

available. There were 249,000 full-time and part-time employees in employment in the manufacturing sector in Wales—SIC 80 divisions 2-4—in June 1990, and 253,000 in September 1990, the latest month for which estimates are available.

Industrial and Regional Development

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects to meet the Assembly of Welsh Counties to discuss industrial and regional development.

Mr. David Hunt: No such meeting has been arranged.

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects to meet the Committee of Welsh District Councils to discuss industrial and regional development; and if he will make a statement.

Mr. David Hunt: I intend to meet the Council for Welsh Districts in due course to discuss its strategy document "Wales: A Land of Opportunity".

Farming

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what representation he has received from *(a)* the National Farmers Union in Wales and *(b)* Young Farmers Club representatives in Wales concerning the development of a co-ordinated marketing and processing structure for the livestock sector in Wales.

Mr. David Hunt: Invited comments have been received from the National Farmers Union in Wales on the United Kingdom's draft sectoral plans prepared in connection with EC regulation 866/90 on the marketing and processing of agricultural produce. No recent representations have been received from Young Farmers Club representatives in Wales.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales whether he has any plans to make representations to the European Commission requesting the use of European structural funds to provide a co-ordinated marketing and processing structure for the livestock sector in Wales.

Mr. David Hunt: No. EC regulation 866/90, which provides grants for the marketing and processing of agricultural produce, is already in place.

School Class Sizes

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what have been the average class sizes in maintained primary and secondary schools in Wales in each year from 1976-77 to 1990-91.

Sir Wyn Roberts: The details of average class size are given in the following table. The primary school information relates to the average size of registered classes. In the case of secondary schools, the information is based on registered classes in years 1 to 5 for the period 1976-77 to 1988-89. Data on classes, as taught, is available only from 1986-87 onwards.

Information for 1990-91 is not available.

Average size of registered classes[1]

	Primary schools	*Secondary schools*
1976-77	25·8	[2]22·6
1977-78	25·3	25·7
1978-79	24·7	25·2
1979-80	24·3	24·5
1980-81	23·9	24·1
1981-82	24·1	24·1
1982-83	23·9	24·0
1983-84	23·7	23·5
1984-85	24·1	26·0
1985-86	24·3	25·7
1986-87	24·4	25·1
1987-88	24·5	24·6
1988-89	24·8	24·3
1989-90	24·8	—

[1] As at September of each year.
[2] As at January 1977.

Average size of classes as taught in secondary schools[1]

	Secondary schools
1986-87	19·4
1987-88	19·1
1988-89	19·0
1989-90	18·9

[1] As at September of each year.

Farm Animals

Mr. Ron Davies: To ask the Secretary of State for Wales what advice he offers to local authorities concerning the disposal of impounded straying stock; and what safeguards are in force to ensure the proper disposal of the carcases of slaughtered animals.

Mr. David Hunt: Local authorities may exercise powers under existing legislation, or seek additional powers, to deal with straying stock including, where relevant, its disposal. The disposal of carcases is usually carried out by the rendering industry or by knackermen and similar operators, although alternatives are available. Advice on meeting health and environmental restrictions is available from the state veterinary service, ADAS, the National Rivers Authority and local authorities, and is contained in the draft code of good agricultural practice for the protection of water.

Dental Services

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the school dentist service consequent upon the new dental contracts.

Mr. Nicholas Bennett: The responsibility of district health authorities, via the community dental service, to provide school-based screening arrangements for children is not affected by the introduction of the new contract for general dental practitioners.

Under-fives

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will list in rank order the percentage of under-fives in maintained nursery and primary schools in each Welsh local education authority.

Sir Wyn Roberts: The information as at January 1990 is as follows:

Percentage of under-fives in nursery schools[1,2]

Local education authority	*Percentage*
Gwent	9·0
Mid Glamorgan	8·3
South Glamorgan	7·2
Clwyd	2·8
West Glamorgan	2·5
Dyfed	2·2

Percentage of under-fives in primary schools [1]

Local education authority	*Percentage*
West Glamorgan	87·3
Clwyd	73·5
Mid Glamorgan	67·3
Dyfed	61·4
Gwent	60·2
Powys	50·6
South Glamorgan	48·1
Gwynedd	41·2

[1]Aged as at December 1989 expressed as a percentage of the three- and four-year-old population.
[2]There are no nursery schools in Gwynedd or Powys.

Swansea Accommodation for the Single Homeless

Mr. Alan Williams: To ask the Secretary of State for Wales if he will give details of all support provided by the Welsh Office to SASH in Swansea.

Mr. Nicholas Bennett: The Department is providing the following support to Swansea Accommodation for the Single Homeless in 1990-91:

	£
Under Section 73, Housing Act 1985	71,150
Urban Programme Funding	33,600
Grant under Section 28(a) of the National Health Service Act 1977	19,000

Mental Handicap

Mr. Wigley: To ask the Secretary of State for Wales what consultation took place between the Welsh Office and the advisory panel of the all-Wales strategy for mental handicap prior to the publication of his local management of schools draft circular of 21 December 1990 concerning the application of local management of schools procedures to special schools in Wales; and if he will list those items where there is a conflict between the local management of schools strategy objectives and the all-Wales strategy objectives.

Sir Wyn Roberts: There is no conflict between the local management of schools—LMS—arrangements and the all-Wales mental handicap strategy. Under LMS, local education authorities retain their statutory responsibility to ensure that proper provision is made for children who are the subject of statements of special educational need. The report of the all-Wales panel on educational provision and services in the mental handicap strategy recommended that the effects of LMS on the financing of special needs provision should be carefully monitored by the Department and local education authorities.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for Wales what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. David Hunt: My Department will invest in high-efficiency lighting where it is cost effective to do so. A start has been made in our headquarters building, and lighting surveys for other offices are planned as part of a five-year energy efficiency programme.

Special Schools

Mr. Wigley: To ask the Secretary of State for Wales how his four key policy objectives for the local management of schools apply to special schools; and what benefit such schools will obtain from the implementation of these objectives.

Sir Wyn Roberts: I refer the hon. Gentleman to the feasibility study carried out by the management consultants, Touche Ross, on extending local management to special schools, a copy of which is in the Library of the House.

Mr. Wigley: To ask the Secretary of State for Wales what consultations he had with Mencap-in-Wales, with the Spastic Society in Wales and with the Wales Council for the Disabled, respectively, before publishing his draft circular of 21 December 1990, dealing with the application of LMS procedures to special schools in Wales.

Sir Wyn Roberts: The draft LMS circular was issued as a consultation document. It is open to organisations such as Mencap-in-Wales to submit their views on the proposals. The closing date for receipt of comments is 1 March 1991.

Mr. Wigley: To ask the Secretary of State for Wales (1) if he will clarify his intentions with regard to allowing special schools to apply for delegated management under the provisions of the Education Reform Act, specifying who is empowered to make such an application on behalf of a special school; and what consultation procedures have to be fulfilled by such persons before the application can be made;

(2) whether in his proposals for the application of local management of schools provisions to special schools in Wales he intends local education authorities to make charges to the special schools in its area which have opted for local management, for centrally-organised resources such as educational psychology, pre-school assessment units, peripatetic special needs assessment teams, dyslexia units and those statutory responsibilities of the Education Act 1981 which cannot be delegated to special schools; and if he will make a statement.

Sir Wyn Roberts: I am currently seeking the views of the LEAs and other interested parties on the proposals described in the LMS draft circular. It would not be proper for me to pre-empt the outcome of this consultation process.

Felinheli Bypass

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his written answer of 14 February to the hon. Member for Caernarfon, relating to the A487 Felinheli bypass, why supplementary orders were necessary; on what date they were published; until what date objections were accepted; how many objections were received to these supplementary orders; and what was the nature of the objections.

Sir Wyn Roberts: Supplementary orders were required to take account of recommendations by the public inquiry inspector and other changes identified later during the detailed design of the scheme. Drafts of the supplementary side roads order and the supplementary compulsory purchase order were published on the 19 October and 9 November 1990 respectively and the periods for objection expired on 30 November. There were eight objections and three representations which were mainly concerned with the effects on agricultural land; inadequacy of farm accesses; the acquisition of additional land and the dismantling of railway track.

Mr. Wigley: To ask the Secretary of State for Wales which consulting engineers were employed to design the A487 Felinheli bypass; and whether he intends to employ anyone else in this capacity to expedite the scheme.

Sir Wyn Roberts: Messrs Parkman consulting engineers. There are no plans to employ another consulting engineer.

Oil Spillage, Llanwern

Mr. Simon Hughes: To ask the Secretary of State for Wales if he will instigate an inquiry into the fuel oil leak from British Steel's Llanwern plant, specifically to cover how the pipe was fractured and why such a large quantity of fuel oil was able to leak out; and if he will make a statement.

Mr. Nicholas Bennett: The National Rivers Authority is currently investigating the Llanwern leak and we have asked to be kept informed. British Steel is also conducting an internal technical inquiry.

HEALTH

Waiting Lists

Mr. Redmond: To ask the Secretary of State for Health (1) what was the number and percentage of patients waiting for non-urgent operations in 1980, 1985 and 1990 *(a)* nationally and *(b)* in the Doncaster health authority area;

(2) what is the percentage of those waiting for non-urgent operations who wait longer than *(a)* one year, *(b)* six months and *(c)* two years (i) nationally and (ii) in the Doncaster health authority area.

Mrs. Virginia Bottomley: The information requested is given in the tables. Since March 1987 information on waiting lists has not been classified according to urgency of condition. Figures for 1990 therefore relate to all patients waiting for in-patient treatment in the surgical acute specialties.

It is the time people wait which is important. Since 1980 the number of patients waiting over a year for in-patient treatment in the surgical acute specialties has fallen by 61 per cent. in Doncaster health authority and by nearly 11 per cent. in England as a whole.

Numbers of non-urgent cases waiting on surgical specialty lists for in-patient treatment

Year	England	Doncaster
March 1980	580,598	3,718
March 1985	614,217	4,713

Total numbers waiting on surgical specialty lists for in-patient treatment

Year	England	Doncaster
March 1990	723,447	4,617

Percentage waiting on surgical specialty lists for in-patient treatment by time waiting at March 1990

	England	Doncaster
6 months +	45	43
12 months +	24	17
24 months +	9	2

Source: KHO6/7/7A—March 1990.

Over the period 1979 to 1988-89, the NHS has increased inpatient treatment as follows:

	1979	1988-89
England	5,400,120	6,585,982
Doncaster	28,103	41,969

an increase of 22 per cent. nationally—49·3 per cent. in the Doncaster area.

Day case treatment also increased as follows:

	1979	1988-89
England	592,061	1,016,327
Doncaster	2,909	4,961

an increase of 71·7 per cent. nationally—70·5 per cent. in the Doncaster area.

Tobacco

Mr. Teddy Taylor: To ask the Secretary of State for Health, pursuant to his answer of 11 February, *Official Report*, column *351*, what steps he has taken to date to ensure that the health issues arising from the EC tobacco regime were given full consideration; and if he will make a statement.

Mr. Dorrell: My noble Friend the Parliamentary Under-Secretary of State for Health has raised this matter with our EC partners on a number of occasions. She will do so again with the Luxembourg Minister of Health when he visits London today. Ministers at the Ministry of Agriculture, Fisheries and Food have also raised the United Kingdom's concern about the tobacco regime with other EC Agriculture Ministers.

The Gulf

Ms. Primarolo: To ask the Secretary of State for Health what provision is being made for trained experts in psychotherapy to be co-ordinated for the effective treatment of service men and women and their families suffering from trauma, stress and long-term mental illness consequent upon the war in the Gulf.

Mr. Dorrell: All services personnel and their families suffering from any form of stress or mental illness as a consequence of the war in the Gulf and referred to the National Health Service will have available to them the normal range of psychiatric services available in the health service. The Royal College of Psychiatrists has provided regional health authorities with a list of doctors specially able to advise on the co-ordination of effective treatment in such cases.

Ms. Primarolo: To ask the Secretary of State for Health (1) what steps have been taken to increase the number of trained psychologists who specialise in therapy for the treatment of trauma, stress and long-term mental illness of service men and women and their families arising from the war in the Gulf; and what he is doing to ensure that this is done on a national basis;

(2) what additional funding is being made available for training to be given to nursing staff to deal with problems of trauma, stress and mental illness in the cases of families and service men and women arising from war in the Gulf.

Mr. Dorrell: In general, health authorities are responsible for deciding the training their staff require to carry out the services they undertake to provide.

Mr. Battle: To ask the Secretary of State for Health what arrangements are being made for non-emergency patients whose admissions have been postponed as a result of the Gulf crisis.

Mr. Dorrell: There is no need for health authorities to prepare for Gulf casualties by clearing beds or postponing non-emergency admissions until significant ground operations begin. Health authorities will be responsible for making alternative arrangements for any deferred non-emergency admissions if Gulf casualties arrive for treatment in the NHS. The extra money available to meet the full costs of treating any Gulf casualties in the NHS would alleviate inevitable pressures on health authorities and ensure as far as possible minimum disturbance to the normal NHS workload.

Children

Mr. Hunter: To ask the Secretary of State for Health what provision is currently made for children with severe learning difficulties, extreme challenging behaviour and autism; and if he will make a statement.

Mr. Dorrell: Much provision for such children is made within the education service, which is the responsibility of my right hon. and learned Friend the Secretary of State for Education and Science. Health authorities and social services departments provide a range of services including treatment, respite and long-term residential care, and support to families.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for Health what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings and throughout the national health service.

Mr. Dorrell: The Department's building managers are instructed to consider installing low energy lighting when replacing existing installations. For the NHS comprehensive guidance on all aspects of lighting, including low-energy lamps, is included in volume 2 of the publication ENCODE issued to all health authorities in 1986, a copy of which is available in the Library.

Liver Transplants

Sir Anthony Grant: To ask the Secretary of State for Health how many liver transplant operations were conducted in Britain in the last 10 years; and how many such patients died within one year of the operation.

Mr. Dorrell: According to information supplied by the United Kingdom transplant service the number of liver transplants performed in NHS hospitals in the United Kingdom since 1982 were:

	Numbers
1982	21
1983	20
1984	51
1985	88
1986	127
1987	172
1988	241
1989	295
1990	[1]359

[1] Provisional.

Information on survival rates is not collected centrally. However a recent study at the Queen Elizabeth hospital, Birmingham indicated that the one-year survival rate had risen from 20 to 30 per cent. before 1980 to a current level of over 60 per cent.

NHS Trusts

Mr. Wolfson: To ask the Secretary of State for Health, further to his announcement on 4 December 1990, *Official Report*, columns *173-76*, if he will announce any other further expressions of interest by hospitals or other units which are proceeding to NHS trust status for April 1992; and if he will make a statement.

Mr. Waldegrave: I have now agreed that a further six hospitals and other units, which have expressed an interest in trust status, can proceed to work up applications to become trusts on 1 April 1992. These are

West Berkshire Health Services
Ealing Acute Hospital
York Health Services
Lancaster Acute Hospital Services
Lancaster Priority Services
Bath and Wiltshire Community Services

Since I last announced a total of 123 expressions of interest, eight of these hospitals and other units have decided to work to a slower time scale in their consideration of trust status. These are

Darlington Health Services
Kendal Hospitals
West Norfolk and Wisbech Community Unit
East Surrey Mental Illness and Mental Handicap
Bexley Mental Health
Queen Victoria Hospital East Grinstead
Eastbourne Community Services
Dartford and Gravesham Acute Services

At this stage each unit is considering in detail the implications of NHS trust status, and this list will be subject to change until the formal applications are received.

TRADE AND INDUSTRY

Manufacturing Output

4. **Mr. Nicholls:** To ask the Secretary of State for Trade and Industry what has been the increase in manufacturing output over the last decade.

Mr. Sainsbury: In 1989 manufacturing output was over 22 per cent. higher than it was in 1980.

Textiles and Clothing

19. **Mr. Cunliffe:** To ask the Secretary of State for Trade and Industry if he will make a statement on the future of trade in textiles and clothing.

Mr. Sainsbury: Multilateral negotiations to agree a successor regime to govern international trade in textiles after the MFA expires on 31 July 1991 are an element of the wider GATT Uruguay round discussions. The United Kingdom and EC, together with all other negotiating partners, remain committed to integrating the textiles sector into GATT on the basis of strengthening rules and disciplines.

Trade and Industry (North Devon)

22. **Mr. Speller:** To ask the Secretary of State for Trade and Industry if he will visit north Devon to meet the North Devon Manufacturing Association and the chambers of commerce and trade to discuss trade and industrial development.

Mr. Lilley: I have made no plans to visit north Devon, but hope that I or one of my colleagues in the Department of Trade and Industry will be able to do so during the course of this year.

GATT

23. **Mr. Trimble:** To ask the Secretary of State for Trade and Industry whether he has made any new proposals with regard to the current round of GATT talks.

Mr. Sainsbury: The European Commission represents the Community and the member states in the GATT negotiations. Community Trade Ministers, at their last meeting, called on the Commission to take all necessary action to reach a balanced agreement covering all sectors as soon as possible. Talks are continuing with a view to bringing this about.

Germany

24. **Mr. Ron Brown:** To ask the Secretary of State for Trade and Industry if he will make a statement about trade relations with Germany.

Mr. Sainsbury: We have excellent trade relations with Germany. Provisional figures indicate that Germany was our top export market in 1990.

Manufacturing Industry (North-West)

25. **Mr. Tony Lloyd:** To ask the Secretary of State for Trade and Industry if he will make a statement on the prospects for manufacturing industry in the north-west.

Mr. Leigh: The prospects for manufacturing in the North-West, as in the rest of the country, are excellent. Inflation is set to fall sharply, leaving industry well placed to build on the improvements of the past decade and to benefit from the completion of the single market and the opening up of eastern europe.

Trade and Industry (North-West)

26. **Mr. Litherland:** To ask the Secretary of State for Trade and Industry what discussions he has had with the north-west TUC, chamber of commerce and chamber of trade about the viability of trade and industry in the north-west region.

Mr. Leigh: I have held no meetings to date with these regional bodies. The Government's policies are aimed at the long-term prosperity of trade and industry in all regions of the United Kingdom.

Car Exports

27. **Mr. Squire:** To ask the Secretary of State for Trade and Industry what percentage of cars manufactured or assembled in the United Kingdom were exported in the years 1979 and 1990.

Mr. Lilley: A total of 31 per cent. of cars manufactured or assembled in the United Kingdom in 1990 were exported, compared with 34 per cent. in 1979.

Car Production

28. **Mr. Jessel:** To ask the Secretary of State for Trade and Industry if he will make a statement on the increase in United Kingdom car production in the 1980s.

Mr. Lilley: I am pleased to report that United Kingdom car production rose from 923,744 in 1980 to 1,299,082 in 1989.

Recession

29. **Mr. Cox:** To ask the Secretary of State for Trade and Industry when he next plans to meet representatives of the Confederation of British Industry to discuss the recession in industry in the United Kingdom.

Mr. Sainsbury: My right hon. Friend regularly meets representatives of the Confederation of British Industry. He met the director general most recently last week.

39. **Mr. Meale:** To ask the Secretary of State for Trade and Industry when he will next meet representatives of the east midlands regional Confederation of British Industry to discuss the recession in industry.

Mr. Leigh: Officials of my Department keep in touch with the east midlands regional Confederation of British Industry on a wide range of business matters.

Cars (EC Access)

30. **Mr. Teddy Taylor:** To ask the Secretary of State for Trade and Industry what discussions he has had with the EC about access by Japanese-owned British car firms to the EC; and if he will make a statement.

Mr. Lilley: I have had a number of discussions with the EC Commission and with other member states about trade in cars within the EC and between the EC and Japan. The Government have consistently taken the line, which the Commission accepts, that cars produced in the United Kingdom by Japanese-owned companies must be treated as European products in every respect.

South Africa

31. **Mr. Tredinnick:** To ask the Secretary of State for Trade and Industry what has been the level of trade with South Africa in the last 12 months; and whether he expects any change.

Mr. Sainsbury: In 1990 the value of United Kingdom visible exports to South Africa was £1,113 million. Visible

imports totalled £1,079 million. This represents an increase in exports of 7 per cent. over the 1989 figure. I hope to see this upward trend continue.

Trade Deficit

32. **Mr. Roy Hughes:** To ask the Secretary of State for Trade and Industry if he has any plans to revise his estimate of the trade deficit at the end of the current year.

Mr. Sainsbury: My right hon. Friend the Chancellor of the Exchequer will be publishing new forecasts for the balance of payments at the time of his Budget statement.

Credit

33. **Mr. Conway:** To ask the Secretary of State for Trade and Industry what actions the Government have taken to ensure that lenders take reasonable precautions against sending credit offers to minors and consumers who have said they do not want to receive circulars; and if he will make a statement.

Mr. Leigh: The Government are consulting interested parties on their proposals to make regulations requiring persons licensed under the Consumer Credit Act to take reasonable precautions against sending credit circulars to minors and to people who have given notice that they do not wish to receive circulars. Details of the proposals are set out in the consultative document "Proposals for New Legislation on Credit Marketing" copies of which are in the Library and in the Vote Office.

Invisible Exports

34. **Mr. Thurnham:** To ask the Secretary of State for Trade and Industry what is his estimate of the United Kingdom's invisible exports for the last five years; and if he will make a statement.

Mr. Sainsbury: The latest information is available from the balance of payments Pink Book 1990 and the quarterly balance of payments press notice, available in the Library of the House, or on the Central Statistical Office's database, which may also be accessed through the Library.

Between the first three quarters of 1985 and 1990 invisible credits rose by 40 per cent. In 1988, the latest year for which figures are available, the United Kingdom had the second largest share—14·3 per cent.—of world invisible credits, ranking after the United States of America.

Science Parks

35. **Mr. Paice:** To ask the Secretary of State for Trade and Industry if he will make a statement on the number of science parks attached to universities and polytechnics today and in 1979.

Mr. Leigh: There were two science parks attached to universities in 1979. Today there are 39 linked with universities or polytechnics. In addition, a further 20 are either in construction or under consideration.

Kuwait

36. **Mr. Mans:** To ask the Secretary of State for Trade and Industry what steps his Department is taking to ensure that British companies share in the restructuring of Kuwait.

Mr. Sainsbury: The Department of Trade and Industry co-operated with industry in preparing a prospectus of United Kingdom capabilities which was presented by my right hon. Friend the Foreign Secretary on his recent visit to the Kuwait Government in Saudi Arabia, accompanied by a team of senior business men led by Department of Trade and Industry officials. My Department will continue to encourage and reinforce the efforts of United Kingdom industry.

Securities and Investments Board Rules

37. **Mr. French:** To ask the Secretary of State for Trade and Industry what representations he has received about the new draft rules published by the Securities and Investments Board.

Mr. Redwood: While the core rules are a matter for the Securities and Investments Board, I have received a number of comments generally supporting a clear and straightforward set of rules for the regulation of investment business.

Car Industry

38. **Mr. Madel:** To ask the Secretary of State for Trade and Industry if he will make a statement on the inward investment in the United Kingdom car industry.

Mr. Lilley: The Government welcome inward investment in the car industry, as in other industries.

Greece, Portugal and Spain

Mr. Simon Coombs: To ask the Secretary of State for Trade and Industry if he will make a statement on United Kingdom trade with Greece, Portugal and Spain.

Mr. Sainsbury: The latest information on United Kingdom trade with Greece, Portugal and Spain is published in *Business Monitor* MM20 "Overseas Trade Statistics" which is available in the Library of the House. United Kingdom exports to these countries increased by 19·5, 12·5 and 19·5 per cent. respectively from 1989 to 1990.

Furniture (Fire-resistant Materials)

Mr. Cryer: To ask the Secretary of State for Trade and Industry if he will make a statement on EC proposals to reduce the current standards of fire-resistant materials used in furniture.

Mr. Leigh: The Commission has consulted member states about a proposal for a directive on the fire behaviour of upholstered furniture. We understand that the Commission will shortly publish a draft directive which will go forward as a formal proposal to the council. It remains our negotiating aim to secure a directive that will provide a level of fire safety consistent with that provided for domestic upholstered furniture in the United Kingdom by the Furniture and Furnishing (Fire) (Safety) Regulations 1988, as amended in 1989.

Trust Ports

Ms. Walley: To ask the Secretary of State for Trade and Industry if he will list those trust ports which have received European regional development fund grant in each of the last five years specifying the amount already given and details of future commitments already agreed.

Mr. McLoughlin: I have been asked to reply.

The information is as follows:

Table 1: Amount already given (£)
Ongoing payments for projects already committed, and initial payments made towards projects committed in, each year

Port	1986	1987	1988	1989	1990
Blyth	14,904	74,207	527,700	—	—
Tyne	166,617	—	—	—	—
Tees and Hartlepool	154,696	16,546	—	—	—
Falmouth	—	17,861	39,221	12,942	—
Newlyn	—	—	742,000	—	—
Milford Haven	—	—	458,518	240,588	—
Clyde	27,804	—	90,000	62,995	436,146
Cromarty Firth	680,000	440,000	160,000	109,082	26,441
Dundee	80,178	—	—	—	—
Forth	262,967	124,200	—	—	—
Inverness	229,500	—	—	—	—
Lerwick	1,150,462	76,500	—	—	—
Totals	2,767,128	749,314	2,017,439	425,607	462,587

Table 2: Future agreed commitments (£)
Unclaimed amounts outstanding from past commitments at the start of 1991, and known future commitments already agreed

Port	Grant still to be taken up at 1 January 1991 £	Future commitments already agreed £
Blyth	—	574,000
Tyne	—	167,000
Tees and Hartlepool	—	1,725,000
Milford Haven	10,647	—
Clyde	100,308	—
Dundee	205,800	—
Totals	315,747	2,466,000

Export Control

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will list those international agreements to which the United Kingdom is a party, covering export controls on sensitive equipment and materials; and if he will indicate in each case the primary purpose of the agreement and when the United Kingdom joined.

Mr. Douglas Hogg *[holding answer 12 February 1990]:* I have been asked to reply.

The United Kingdom is a depositary power to the nuclear non-proliferation treaty which was opened for signature in 1968. The treaty aims to prevent proliferation of nuclear weapons, and ultimately to secure complete and general, as well as nuclear disarmament. In addition, the treaty provides a framework for peaceful nuclear co-operation. We are also members of the International Atomic Energy Authority, the Zangger committee and the Nuclear Suppliers Group, all of which play an important part in the non-proliferation regime. The United Kingdom is also a founder member of the missile technology control regime, established in 1987 to control the proliferation of ballistic missiles.

The United Kingdom is a party to the Geneva protocol (1925) which bans the use of chemical and bacteriological weapons and to the convention on the prohibition of the development, production and stockpiling of bacteriological and toxic weapons and on their destruction (1972). We are committed to securing a global, comprehensive and verifiable convention banning chemical weapons. Until that is achieved, we are working with other like-minded countries in the Australia Group to prevent proliferation of chemical and biological weapons, and their precursors.

The United Kingdom is a member of the co-ordinating committee for multilateral export controls (COCOM) which was established in 1949. It provides an informal framework within which controls can be agreed for strategic reasons on the export of sensitive goods to the proscribed destinations, principally the Soviet Union, eastern Europe and China.

These obligations and commitments are given effect through the maintenance of stringent export controls on sensitive equipment, materials and technology under the Export of Goods (Control) Order.

ENERGY

Ministerial Meetings

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will list all future *(a)* conferences, *(b)* seminars and *(c)* meetings which Ministers in his Department have been invited to attend (i) in the United Kingdom, (ii) in the European Community and (iii) elsewhere; and if he will list the dates of these events for the next three months.

Mr. Wakeham: For obvious reasons, it is not normal practice to publicise information on Ministers' engagements this far in advance.

Coal Imports

Mr. Hardy: To ask the Secretary of State for Energy what assessment he has made of the strategic importance of avoiding reliance on imported coal in the generating of electricity.

Mr. Heathcoat-Amory: Decisions on fuel procurement are a commercial matter for the electricity generating companies, subject only to compliance with the fuel stocking directions given under section 34 of the Electricity Act 1989. Both National Power and PowerGen have stated that they will seek to diversify their fuel sources.

Mr. Hardy: To ask the Secretary of State for Energy what powers he has to prevent the privatised electricity generating companies from becoming dependent on imported coal.

Mr. Heathcoat Amory: It is not the Government's policy to place any restrictions on coal imports. The Government have no powers to do so other than in emergencies.

Fluidised Bed Combustion

Mr. Hardy: To ask the Secretary of State for Energy when he expects development of fluidised bed combustion technology to be economically desirable and commercially viable.

Mr. Moynihan: Fluidised bed combustion is already an established technology available in the marketplace. More than 100 combustor units have been installed in the United Kingdom alone.

AGRICULTURE, FISHERIES AND FOOD

Polwhele Laboratory

Mr. Robert Hicks: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to change the status of the Polwhele veterinary investigation centre laboratory; and if he will make a statement about its future.

Mr. Curry: We expect to be able to make an announcement shortly on the outcome of the review of the veterinary investigation service, including the Polwhele —Truro—centre.

Milk

Mrs. Dunwoody: To ask the Minister of Agriculture, Fisheries and Food how many prosecutions there have been in 1990 and 1991 for violations of the Milk (Special Designation) Regulations 1989.

Mr. Curry: In England and Wales these regulations are enforced by this Department in respect of untreated milk producers and by local authorities in respect of processing dairies and distributors of untreated milk. The Department has not mounted any prosecutions under these regulations in 1990 and 1991. However, 147 producers of untreated milk have had their licences suspended for inability to comply with the regulations in the period 1 April to 31 December 1990. Information on prosecutions and other enforcement action taken by local authorities is not held centrally.

Mrs. Dunwoody: To ask the Minister of Agriculture, Fisheries and Food if he will introduce legislation to ensure that bottles of untreated milk contain health warnings on the side of the bottle, rather than on the bottle cap.

Mr. Curry: The Milk (Special Designation) Regulations 1989 already require that where untreated milk is sold in a bottle, the words

"This milk has not been heat treated and may therefore contain organisms harmful to health"

must appear elsewhere than on the cap.

Mrs. Dunwoody: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to introduce legislation to ban the sale of untreated milk.

Mr. Curry: I refer the hon. Member to the reply given to the hon. Member for Carlisle (Mr. Martlew) on 30 January, *Official Report*, column 546.

Set-aside Scheme

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food for what reasons the set-aside scheme was introduced; when it came into effect; and what is the total sum expended by each European Community nation and by the European Community institutions on the scheme in the most recent annual period for which figures are available.

Mr. Curry: The EC set-aside scheme was introduced as part of the EC stabilisers package. It was intended to provide farmers with an alternative source of income, while they adjusted to the effects of price constraint, and to reduce production of surplus arable crops. The scheme was agreed by the Council of Ministers in April 1988 and member states were required to introduce schemes by mid-July 1988. No member state fulfilled this obligation, although the United Kingdom, Netherlands and the Federal Republic of Germany introduced national schemes by mid-August 1988.

Information on expenditure in individual member states is not available but the Commission has estimated that the amount reimbursed by the European Agricultural Guidance and Guarantee Fund in 1990 in respect of the scheme was 42·3 mecu—£29·5 million.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food how many hectares of land have been approved for subsidy in each member state since the introduction of the set-aside scheme.

Mr. Curry: The latest information available indicates that the following areas have been entered into set-aside in the first two years of the scheme.

	Hectares
United Kingdom	100,809
Germany	222,384
Netherlands	8,737
Belgium	490
France	55,409
Ireland	2,768
Spain	46,303
Greece	250
Italy	251,617
Luxembourg	37
Denmark	0
Total	688,804

Source: EC Commission.
Note:—Portugal is not required to implement the scheme until 1995.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food how many hectares of land were devoted to cereal production in each member state, respectively, before the introduction of the set-aside scheme; and how many hectares were devoted to this production purpose at the most recent date for which figures are available.

Mr. Curry: The information is as follows:

Million hectares

	1988 cereals harvest area	*1990 cereals harvest area*[1]
Belgium	0·35	0·35
Denmark	1·60	1·56
Germany	4·73	4·49
Greece	1·36	1·38

	1988 cereals harvest area	1990 cereals harvest area[1]
Spain	7·64	7·45
France	9·15	8·98
Ireland	0·35	0·33
Italy	4·38	4·20
Luxembourg	0·04	0·03
Netherlands	0·20	0·20
Portugal	0·93	0·74
United Kingdom	3·90	3·66
Total	34·61	33·36

[1]Provisional.
Source: EC Commission balance sheets.
Notes:
1. The EC scheme was introduced in 1988, but most member states did not introduce national schemes until after the 1988 harvest.
2. The German figures exclude production in the former German Democratic Republic.
3. Portugal is not required to implement the scheme until 1995.

Mr. Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food what was the production of the various forms of cereals which are covered by the set-aside scheme in each member state in the annual period before the introduction of set-aside; and what are the comparable annual figures in respect of the most recent period for which figures are available.

Mr. Curry: The information requested is as follows:

Million tonnes

	1988 cereals production	1990 cereals production[1]
Belgium	2·21	2·05
Denmark	8·07	9·82
Germany	27·11	26·04
Greece	4·59	3·76
Spain	23·15	18·20
France	55·87	54·64
Ireland	1·98	1·95
Italy	16·56	16·35
Luxembourg	0·12	0·13
Netherlands	1·22	1·37
Portugal	1·30	1·31
United Kingdom	21·11	22·42
Total	163·27	158·02

[1] Provisional.
Source: EC Commission balance sheets.
Notes:
1. The EC scheme was introduced in 1988, but most member states did not introduce national schemes until after the 1988 harvest.
2. The German figures exclude production in the former German Democratic Republic.
3. Portugal is not required to implement the scheme until 1995.

Sellafield

Mr. Simon Coombs: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the present level of radioactive emissions from Sellafield into the Irish sea; and what the comparable figures were five years and 10 years ago.

Mr. Curry: Under the Radioactive Substances Act 1960, the Minister of Agriculture, Fisheries and Food is jointly responsible with the chief inspector of Her Majesty's inspectorate of pollution for the authorisation of radioactive discharges from sites such as Sellafield.

The Ministry conducts a regular and extensive programme of monitoring for radioactivity in the marine environment around the United Kingdom coastline, including the Irish sea and the results are published annually in reports entitled "Radioactivity in Surface and Coastal Waters of the British Isles", copies of which are available in the Library of the House.

These reports show that the levels of radioactivity in liquid discharges from the Sellafield site to the Irish sea have been reduced very substantially in recent years, as indicated in the table.

	1979	1984	1989
Sellafield sea pipeline:			
Beta radioactivity (TBq)	4,058	1,190	101·4
Alpha radioactivity (TBq)	62	14	2·7
Seaburn Sewer:			
Total radioactivity (TBq)	0·011	0·0038	0·0012

As a result, even those people living near the site who consume large amounts of local fish and shellfish will in 1989 have received a radiation dose of only 0·19 mSv, less than one fifth of the internationally recommended limit of 1 mSv.

Captive Birds

Mr. Robert G. Hughes: To ask the Minister of Agriculture, Fisheries and Food what further information he has on the levels of mortality in imported captive birds; and if he will make a statement.

Mr. Maclean: The second report by the Ministry on mortalities in imported captive birds, relating to imports in 1989, shows that of 184,600 birds, 4,000 were dead on arrival and a further 19,500 died in post-import quarantine. The average mortality has fallen slightly to 12·7 per cent. compared with 13·7 per cent. in the previous year, but the figures are still a grave cause for concern. I am placing copies of the report in the Library of the House.

For wild-caught birds these statistics do not reveal the full extent of losses. We do not know how many birds are dying from stress just after capture and in transport within the country of origin, but it must be assumed that numbers will be high. I do not find such levels of mortality acceptable and the Department is doing all that it can to reduce losses.

In the past year our veterinary officials have visited certain major exporting countries and more visits are planned. During these visits we impress on the relevant authorities the need to fulfil our import requirements and to follow International Air Transport Association—IATA—standards during flights to the United Kingdom. We are considering revised requirements for pre-export isolation and certification where appropriate. We will cease to authorise imports of birds from any country which fails to co-operate in implementing our requirements.

I have written to airlines to emphasise the importance of complying with the IATA rules and of reviewing airline procedures where necessary. Since then some have decided not to transport birds on certain routes.

I have instituted a review of standards in quarantine premises for birds with particular reference to stocking densities. As a result, the number of birds permitted in each quarantine premises, based on their physiological and behavioural needs, will be specified. These measures, which will be introduced as quickly as possible, are expected to result in a reduction in consignment sizes in

many cases especially for non-psittacine species. Irrespective of this the maximum number of non-psittacines in any consignment permitted in any licence issued from 1 April will be reduced from 6,000 to 4,000.

Applicants for licences to import birds are also now required to provide more detailed information. Further changes are also being considered to tighten the application of our disease prevention rules.

My right hon. Friend the Secretary of State for the Environment is considering what further action can be taken within his responsibilities. We have also drawn our concerns to the attention of the European Commission who have agreed that controls are needed on trade in species which are particularly vulnerable during captivity and transport. This issue, and the development of common welfare standards for transport, will be taken forward in Community discussions.

Government action can, however, only achieve so much. Many of the problems with this trade would be reduced if the public no longer purchased captive birds. There are a number of species of birds which simply should not be taken from the wild and subjected to captivity. No one should even consider buying or keeping birds unless proper care and facilities are available. Captive bred stock should be used whenever possible in order to minimise the taking of wild specimens.

Ministerial Meetings

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food if he will list all future *(a)* conferences, *(b)* seminars and *(c)* meetings which Ministers in his Department have been invited to attend (i) in the United Kingdom, (ii) in the European Community and (iii) elsewhere; and if he will list the dates of these events for the next three months.

Mr. Gummer: For obvious reasons, it is not normal practice to collate and publicise information on Ministers' engagements this far in advance.

SOCIAL SECURITY

Severely Disabled People

Mr. Wigley: To ask the Secretary of State for Social Security what is his estimate of the number of severely disabled people in employment, or self-employment, who require nursing or personal care to enable them to continue to work, the average number of hours required per week and the average cost of such care.

Mr. Scott: The information requested is not available.

Housing Benefit, Lambeth

Mr. Fraser: To ask the Secretary of State for Social Security how many people in Lambeth are receiving housing benefit based on claims for reimbursement made by Lambeth council.

Miss Widdecombe: At 30 November 1990, the housing benefit caseload in the London borough of Lambeth was 29,380.

Vibration White Finger

Mr. Henderson: To ask the Secretary of State for Social Security how many claimants in Newcastle upon Tyne have received payment for vibration white finger since December 1989.

Mr. Scott: The information requested could be obtained only at disproportionate cost.

HOUSE OF COMMONS

Telephone Facilities

Mr. Bellingham: To ask the Lord President of the Council if he will now make available the British Telecom star service facilities to Members of Parliament and their secretaries' telephones in the House of Commons throughout the entire British Telecom network.

Mr. MacGregor: British Telecom's star service is available for all single-line customers whose telephone has a multi-frequency signalling capacity with a time break recall and is served by a digital exchange. The lines provided for Members from the Palace of Westminster telecommunications exchange are not compatible with that system, nor is the exchange itself designed to provide such access.

Oral Questions

Mr. David Shaw: To ask the Lord President of the Council if there has been a statistical sampling test by operating computer software or otherwise to ensure that oral questions submitted by hon. Members are being selected on a proven random basis.

Mr. MacGregor: The "shuffle" to determine the order in which tabled oral questions appear on the Order Paper is conducted under arrangements approved by Mr. Speaker. I refer my hon. Friend to Mr. Speaker's statement of 15 November 1989, *Official Report*, column 356, on the occasion that the computerised shuffle was introduced. I understand that appropriate tests were run on the computer software before the system was introduced. Further information may be obtained from the Table Office.

ENVIRONMENT

Crown Supplies

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what was the total salary cost, including pay bonuses and compensation paid on termination of contract of the Crown Suppliers main board members in the period January 1990 to January 1991.

Mr. Yeo: A total of £291,344·50 in the calendar year 1990, excluding two payments under the principle civil service pension scheme for compulsory early retirement and one payment in 1991 in respect of a board member whose service ceased in 1990. In addition, £44,349·11 was paid in 1990 to the non-civil servants who acted as TCS chairman and special projects director.

Departmental Achievements

Mr. Pawsey: To ask the Secretary of State for the Environment if he will make a statement on the principal achievements of his Department since June 1987.

Mr. Heseltine: The Government have played a leading role in developing environmental protection measures both nationally and internationally. The privatisation of the water industry in 1989 strengthened pollution controls and resulted in increased investment: some £28 billion will be spent in the next decade. The Environmental Protection Act 1990 provided for a new system of integrated pollution control and waste disposal management. In September 1990 the White Paper "This Common Inheritance" set out the Government's environmental strategy for the next decade.

The Government have promoted several initiatives for the conservation of nature and the countryside. They have improved the efficiency of the land use planning system as an instrument for guiding development in ways that both facilitate economic growth and protect the environment. They have made good progress with the regeneration of our inner cities, including the creation of 10 new urban development corporations since 1987 and doubling the number of inner city task forces to 16.

The Government have continued to promote the growth of owner-occupation; have increased the choices available to tenants, in particular by deregulating rents of new private lettings; and have obtained better value for money from public expenditure by ensuring that investment and subsidies are increasingly focused where they are most needed.

In local government, the Government have reformed the system of local government finance and taxation. They have also promoted the efficiency of local authorities by requiring competition in the provision of certain services. A new review is now looking afresh at the structure and finances of local authorities.

Housing

Mr. Blunkett: To ask the Secretary of State for the Environment if he will break down all housing development started since the urban development corporations began their operations, by tenure.

Mr. Portillo: There were an estimated 16,100 housing completions in urban development corporation areas to March 1990. Of the 15,247 completions for which information is available, 12,226—80 per cent.—were for private ownership, 2,191—14 per cent.—for housing associations and 830—6 per cent.—were private or local authority rental.

Homelessness

Mr. Fearn: To ask the Secretary of State for the Environment if he will set up a permanent helpline to his Department to give advice to homeless people sleeping on the streets.

Mr. Yeo: My Department provides £2 million this year and £4·5 million next year to voluntary organisations providing advice and practical help to homeless people. A substantial proportion is targeted on rough sleepers. Among the projects receiving grant aid is a 24-hour telephone housing advice service in London.

Mr. Fearn: To ask the Secretary of State for the Environment (1) what advice his Department is giving when contacted by homeless people sleeping rough or their representatives on the availability of emergency shelter;

(2) what information is made available to people sleeping rough about the locations of emergency shelters; and where it is available.

Mr. Yeo: Those seeking advice are referred to the help lines being run by the Piccadilly advice centre and the housing advice switchboard. These organisations have information on the availability of accommodation in emergency shelters and other hostels, as do the Metropolitan police and the voluntary organisations working with single homeless people.

Community Charge

Mr. William Powell: To ask the Secretary of State for the Environment what is his estimate of the number of community chargepayers in each district of Northants who will benefit from the community charge reduction scheme.

Mr. Key: Community charge registers for individual local authorities are not held centrally and I am not, therefore, at present able to make detailed estimates by local authority area. Estimates for England of the numbers likely to benefit from the community charge reduction scheme are based on sample survey data.

The table shows, for each district in Northamptonshire, the level of rateable value below which a community charge reduction may be available for a two adult household; and shows this rateable value as a percentage of the average rateable value of domestic properties in each district. Reductions will depend on the number of chargepayers resident in a property on 31 March 1990, and will be payable to chargepayers who have not changed their sole or main residence since that date.

Level of rateable value below which two adult households benefit from community charge reduction scheme

	Rateable value	*Percentage of district average*
	(£)	
Corby	240	130·7
Daventry	221	97·4
East Northamptonshire	211	117·5
Kettering	219	122·5
Northampton	221	108·7
South Northamptonshire	227	99·4
Wellingborough	193	105·0

Mr. Burt: To ask the Secretary of State for the Environment how much assistance a couple living in a property of half average rateable value in Bury will receive under the community charge reduction scheme in 1992.

Mr. Portillo: In 1991-92 a couple living in a property with half the average rateable value in Bury will be entitled to a reduction under the community charge reduction scheme of £373. If the 1991-92 community charge set by Bury is less than £380, the reduction will be smaller. Community charge benefit will further reduce the community charge for couples with low incomes.

Dame Elaine Kellett-Bowman: To ask the Secretary of State for the Environment how much assistance a couple

living in a property of half average rateable value in *(a)* Lancaster and *(b)* Wyre borough will receive under the community charge reduction scheme next year.

Mr. Portillo: In 1991-92 a couple living in a property with half the average rateable value in the area will be entitled to a reduction under the community charge reduction scheme of *(a)* £497 in Lancaster, and *(b)* £420 in Wyre, provided they have not moved since 31 March 1990, and assuming that the community charges set are not less than £402 in Lancaster and £376 in Wyre. Community charge benefit will reduce further the community charge for couples with low incomes.

Sites of Special Scientific Interest

Mr. Hunter: To ask the Secretary of State for the Environment (1) what criteria are taken into consideration and what procedures are followed in the designation of new sites of special scientific interest;

(2) what criteria are taken into consideration and what procedures are followed in determining whether designated sites of special scientific interest remain sites of special scientific interest; and how often the special scientific interest of a designated site is re-assessed.

Mr. Trippier: The procedures for designating sites of special scientific interest are set out in section 28 of the Wildlife and Countryside Act 1981, as amended by the Wildlife and Countryside (Amendment) Act 1985.

The Nature Conservancy Council's "Guidelines for Selection of Biological SSSIs" together with the first volume of guidelines in respect of geological and physiographical SSSIs, give details of the scientific criteria for selection. Copies of these documents have been placed in the Library of the House.

The successor bodies to the Nature Conservancy Council will develop a programme for the regular monitoring of SSSIs. The reassessment of the special scientific interest of will reflect the results of this programme.

Ministerial Meetings

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will list all future environmental *(a)* conferences, *(b)* seminars and *(c)* meetings which Ministers in his Department have been invited to attend (i) in the United Kingdom, (ii) in the European Community and (iii) elsewhere; and if he will list the dates of these events for the next three months.

Mr. Trippier: For obvious reasons, it is not normal practice to collate and publicise information on Ministers' engagements this far in advance.

Colliery Spoil

Mr. Hardy: To ask the Secretary of State for the Environment if he will make it his policy to encourage the use of colliery spoil for infilling and other civil engineering projects and to consult those officials of British Coal who are qualified to provide assessment of such matters.

Mr. Yeo: My Department already encourages alternative uses of colliery spoil where practicable, environmentally acceptable and economically viable. Circular 20/87, issued in conjuction with the Department of Transport and the Welsh Office, advises highway authorities to inform the local planning authorities and waste producer of road schemes at an early stage, so that information on waste materials as potential sources of fill can be incorporated into the instructions for tenderers. The Government also set aside £2·5 million to fund a number of colliery-spoil disposal demonstration schemes so that the practical, environmental and economic aspects of utilising colliery spoil for engineered fill and civil engineering projects could be investigated. More generally, I am concerned that potentially valuable waste materials, including colliery spoil, are under-utilised and my Department has commissioned research to appraise their occurrence and use. This study is looking at the physical and economic constraints to their greater utilisation and will identify ways in which these could be overcome. The research is being carried out in full consultation with officials at British Coal.

Housing Investment Programme, Rutland

Mr. Latham: To ask the Secretary of State for the Environment whether he will give details of the calculations which led him to announce a basic credit approval of £372,000 in 1991-92 for the housing investment programme of Rutland district council; and what was the bid submitted by the council.

Mr. Yeo: Rutland's guidelines for all services totalled £717,000. From this figure was deducted £238,000 for receipts taken into account. The resulting basic credit approval of £479,000 may be allocated as the council wishes.

Contaminated Clinoptilolite

Mr. Flynn: To ask the Secretary of State for the Environment what methods exist for the disposal of radioactively contaminated clinoptilolite.

Mr. Trippier: Clinoptilolite is used to remove radioactivity from liquids in the Sellafield ion exchange plant. Radioactively contaminated clinoptilolite, like other intermediate-level waste, is currently stored on site. It is proposed that it be treated in the new encapsulation plant and stored prior to final disposal in the Nirex deep facility.

PRIME MINISTER

Antarctic Minerals

Mr. Cash: To ask the Prime Minister which Departments are involved in the review of policy towards Antarctic minerals, in addition to the Foreign and Commonwealth Office.

The Prime Minister: The Departments of the Environment, of Trade and Industry and of Energy.

OVERSEAS DEVELOPMENT

Ethiopia

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions have been given to the British representative at the current

session of the United Nations Human Rights Commission in Geneva to stress the need for the commission to take active note of gross violations of human rights by the Government of Ethiopia; and if he will make a statement.

Mrs. Chalker: The head of the British delegation to the United Nations Human Rights Commission is fully aware of the concern about human rights violations in Ethiopia and will be guided accordingly.

HOME DEPARTMENT

Animal Experiments

Mr. Lawrence: To ask the Secretary of State for the Home Department how many infringements of the Animals (Scientific Procedures) Act 1986 have come to light in each year since the implementation of the Act; what were the offences charged; how many defendants were convicted and for how many offences; what was the range of punishments imposed; and how many experimenters had their licences revoked.

Mrs. Rumbold: In 1987, the first year of the operation of the Act, nine cases of infringements were decided. None of the cases was sufficiently serious to merit referral to the Director of Public Prosecutions. In one case a licence was revoked.

In 1988, 20 cases of infringements were decided, of which two were referred to the Director of Public Prosecutions. In both cases the Director of Public Prosecutions decided not to institute criminal proceedings. In two cases the relevant licences were revoked.

In 1989, 14 cases of infringements were decided. No cases were referred to the Director of Public Prosecutions. In one case a licence was revoked.

In 1990, 14 cases of infringements were decided. No cases were referred to the Director of Public Prosecutions. In three cases, a total of seven project and personal licences were revoked.

Infringements may include breaches of conditions of licences as well as possible offences under the Act. Where licences are not revoked, an infringement may lead, where appropriate, to the imposition of additional strict conditions on the project or personal licences or on the certificate of designation for the establishment.

Mr. Lawrence: To ask the Secretary of State for the Home Department how many visits by inspectors to animal experimentation laboratories were carried out in each of the past five years.

Mrs. Rumbold: Details for 1978 to 1988 are given in "Statistics of Scientific Procedures on Living Animals, Great Britain, 1988"—Cm 743—and details for 1989 in the 1989 volume—Cm 1152. The figures for 1989 reflect a change in the system for recording visits made by inspectors in the light of the change in their duties under the Animals (Scientific Procedures) Act 1986.

Mr. Lawrence: To ask the Secretary of State for the Home Department what was the number of laboratories licensed for animal experimentation under the Animals (Scientific Procedures) Act 1986 in each year since the entry into force of the Act.

Mrs. Rumbold: At 31 December 1987 there were 372 such establishments. On the same date in 1988 and 1989 there were 375.

Police Force, Wales

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department what is the capital budget of each police force in Wales for 1991-92; and what were the comparable figures for each year from 1979 onwards.

Mr. Peter Lloyd: Capital budgets for police forces are the responsibility of police authorities, but annual returns of capital spending, which police authorities have made to the Welsh Office, show that capital expenditure by police forces in Wales since 1983-84 was as follows:

£ million

	Dyfed Powys	*Gwent*	*North Wales*	*South Wales*	*Total*
1983-84	0·093	0·887	0·822	2·793	4·595
1984-85	0·324	1·147	0·876	2·538	4·885
1985-86	2·396	0·835	1·232	2·527	6·990
1986-87	2·611	0·687	1·011	1·228	5·537
1987-88	1·355	0·589	1·056	2·894	5·894
1988-89	0·705	0·838	1·510	2·943	5·996
1989-90	0·675	2·360	2·852	4·379	10·226

Under new arrangements for financing police capital expenditure, which came into operation on 1 April 1990, Government grant on police capital expenditure is allocated to individual police authorities in advance and is cash limited. The grant allocated to police authorities in Wales will support the following expenditure:

£ million

	Dyfed Powys	*Gwent*	*North Wales*	*South Wales*	*Total*
1990-91	0·653	2·196	0·846	1·512	5·207
1991-92	1·634	4·959	1·462	4·145	12·200

It is open to police authorities to incur capital expenditure above these levels, but such expenditure would not attract Government grant and would have to be met from their own resources.

Naturalisation

Mr. Maclennan: To ask the Secretary of State for the Home Department (1) what is the average time currently being taken to process applications for naturalisation;

(2) how many applications for naturalisation submitted in *(a)* 1988 and *(b)* 1989 remain outstanding.

Mr. Peter Lloyd: The average time now being taken to complete applications for naturalisation is 32 months. At the end of January, 16,302 applications submitted in 1988 and 19,495 submitted in 1989 remained outstanding.

Remand Prisoners

Mr. Maclennan: To ask the Secretary of State for the Home Department what was the number of prisoners held on remand in police cells on 1 February.

Mrs. Rumbold: On Friday 1 February there were 604 prisoners in police cells. The precise split between remand and other prisoners is not available centrally but most would have been remand prisoners.

Public Information Films

Mr. Michael: To ask the Secretary of State for the Home Department if he will list all the public information films and the subject matter of each that was shown on

each channel of *(a)* the BBC and *(b)* commercial television, during 1989, 1990 and the first two months of 1991.

Mr. Peter Lloyd: This material is not readily available in the form requested. I will write to the hon. Member with the information we can provide.

FOREIGN AND COMMONWEALTH AFFAIRS

Gulf Oil Slicks

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what action has been taken by Her Majesty's Government in pursuit of the United Nations General Assembly second committee resolution 44/224, dated 24 November 1989, as a result of the occurrence of oil slicks in the Gulf.

Mr. Heseltine: I have been asked to reply.

In response to this resolution, the executive director of the United Nations Environment Programme—UNEP—commissioned a feasibility study into proposals for improved international co-operation in the monitoring, assessment and anticipation of environmental threats and assistance in the case of environmental emergencies. The United Kingdom Government look forward to discussing the study's proposals at UNEP's governing council in June this year before they are submitted to the United Nations General Assembly.

Meanwhile, the United Kingdom has also provided expert advice and other assistance to the Governments of the Gulf states as set out in my letter to hon. Members of 6 February. The International Maritime Organisation, a specialised agency of the United Nations based in London, is co-ordinating offers of pollution control equipment and expertise to assist with the oil spill. The United Kingdom is co-operating fully and my right hon. and learned Friend the Secretary of State for Transport has contributed secretariat support and other services to the IMO for this purpose.

Soviet Union

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made in respect of Leonid Zolotarevsky of Tallin and Leah Yusyfiva of Dzhezkazgan who have been unsuccessfully applying to leave the Soviet Union.

Mr. Douglas Hogg: We can certainly raise these cases with the Soviet authorities, but in order to make our representations most effective we shall need further details.

Immigration

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the current queues of applicants for entry clearance in each category for the latest available month and the numbers in each queue at the posts at *(a)* Bombay, *(b)* Karachi, *(c)* New Delhi, *(d)* Dhaka, *(e)* Nairobi, *(f)* Calcutta, *(g)* Islamabad and *(h)* Dar es Salaam.

Mr. Lennox-Boyd: As at 31 December 1990, the estimated waiting times, in months, for persons applying for entry clearance were:

Settlement	*Q1*	*Q2*	*Q3*	*Q4*
Bombay	0	5	9	10
Karachi	1	3	3	6
New Delhi	1	3	6	10
Dhaka	3	4	4	9
Nairobi[1]	—	—	—	—
Calcutta[2]	—	—	—	—
Islamabad	3	5	8	15
Dar es Salaam[3]	—	—	—	—

[1] One day for all settlement applicants.
[2] No settlement queues.
[3] Less than one week's delay for all settlement applicants.

The number of applicants waiting in the queues for first interview, as at 31 December 1990, were:

Settlement	*Q1*	*Q2*	*Q3*	*Q4*
Bombay	0	130	372	119
Karachi	13	86	25	1
New Delhi	5	261	281	120
Dhaka	425	816	132	619
Nairobi[1]	—	—	—	—
Calcutta[1]	—	—	—	—
Islamabad	96	2,312	468	393
Dar es Salaam[1]	—	—	—	—

[1] No settlement queues.

Settlement queues are organised as follows:

Q1—Persons with a claim to the right of abode, dependent relatives over 70 years old, special compassionate cases.
Q2—Spouses, and children under 18 yeas old.
Q3—Fiance(e)s and others applying for the first time for settlement.
Q4—Re-applicants.

Applicants for visit visas in Islamabad requiring a full interview can expect to wait five days. Elsewhere they are dealt with on the day of application.

Tamils

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has concerning the numbers of Tamils who have been killed or wounded during the civil war in Sri Lanka.

Mr. Lennox-Boyd: Reliable information on the number of casualties is not available either for Tamils or for other ethnic groups.

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Sri Lanka about human rights violations and attacks against civilian populations in Tamil areas of that country by Government armed forces.

Mr. Lennox-Boyd: We regularly raise with the Sri Lankan Government our concerns about their human rights performance and the conduct of its security forces in dealing with the terrorist challenge they face. I did so when I met the Sri Lankan high commissioner on 19 December. The British high commissioner is also in touch with the Sri Lankan Government's special task force, established to investigate reported human rights violations.

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the civil war in Sri Lanka.

Mr. Lennox-Boyd: We deeply regret the continuing violence in Sri Lanka, which stems from a decision by the

"Liberation Tigers of Tamil Eelam" to abandon long-running negotiations with the Sri Lankan Government in June 1990 and resume terrorism. We support the Sri Lankan Government in their efforts to overcome the terrorist challenge they face, but, at the same time, have made clear our concerns that human rights should be fully respected.

Bulgaria

Mr. Amos: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the allocation of money from the know-how fund for Bulgaria.

Mr. Douglas Hogg: My right hon. Friend the Prime Minister announced on 18 February the extension of the know-how fund for eastern Europe to Bulgaria. This is in recognition of Bulgaria's commitment to political and economic reform and requirement for "intellectual know-how". There is no formal commitment to spending on individual countries under the know-how fund in any one year. Actual disbursement will depend on the identification of sensible projects in priority areas. An early visit to Bulgaria is planned to discuss our overall strategy with the Bulgarian authorities.

Antarctica

Mr. Mallon: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made since the end of the Vina del Mar conference on 6 December 1990, towards the preparation of a draft environmental protocol to protect Antarctica.

Mr. Garel-Jones: The Antarctic treaty parties have had no formal consultations since the meeting in Vina del Mar in December and so no further progress towards the preparation of a draft environmental protocol to protect Antarctica has been made. Discussion on the protocol will continue at the reconvened XIth special consultative meeting in Madrid in April.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs following the recent consultative meeting in Chile, what options he is considering for Her Majesty's Government's policy in respect of mining in Antarctica; and if he will make a statement.

Mr. Garel-Jones: It was clear at the meeting in Chile that neither the Antarctic minerals convention alone nor a simple ban on mineral activity provide for a solution of the minerals issue. We are considering how best, in these circumstances, to achieve a return to consensus.

Lithuania

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he intends to raise the result of the independence referendum held in Lithuania with the Security Council of the United Nations or with the Council for Security and Co-operation in Europe; and if he will make a statement.

Mr. Douglas Hogg: No. We do not believe discussion in the United Nations Security Council would provide an answer to the problem. We raised the Baltic issue at meetings of the CSCE in Vienna and Valletta in January. With our partners in the European Community, we have invoked the CSCE human dimension mechanism. The mechanism enables CSCE states to raise human rights questions directly with the state concerned.

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has been in contact with European Community Foreign Ministers to discuss the outcome of the independence referendum in Lithuania; and if he will make a statement.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met his EC colleagues in Luxembourg on 19 February for a European political co-operation ministerial meeting. The situation in the Soviet Union and the Baltic republics was among the subjects discussed. We have noted the outcome of the Lithuanian referendum with interest, and hope that genuine negotiations will now take place about the way forward.

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will grant recognition to the republic of Lithuania following the outcome of the independence referendum held in Lithuania on 9 February; and if he will make a statement.

Mr. Douglas Hogg: No. Lithuania does not fulfil the well-established criteria that we have applied to the recognition of a state. These are that it should have, and seem likely to continue to have, a clearly defined territory with a population, a Government who are able of themselves to exercise control of that territory, and independence in its external relations. However, we recognise and support the wish of the Lithuanian people to determine their own future. We believe that the way forward is through peaceful negotiations between the Soviet authorities and the elected Lithuanian authorities.

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to or received from President Landsbergis of Lithuania, President Gorbachev of the USSR, the embassy of the USSR in London and the Lithuanian Association in London, following the result of the independence referendum in Lithuania.

Mr. Douglas Hogg: We have received no representations on this specific question. We are in frequent contact with the Soviet authorities, and with the authorities of the Baltic republics, over developments there.

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to meet his European Community counterparts; and if he will raise the question of how the European Community should respond to the outcome of the independence referendum held in Lithuania.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs met his EC colleagues in Luxembourg on 19 February for a European political co-operation ministerial meeting. The situation in the Soviet Union and the Baltic republics was among the subjects discussed. We have noted the outcome of the Lithuanian referendum with interest, and hope that genuine negotiations will now take place about the way forward.

Baltic States

Mrs. Margaret Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations or offers of assistance his Department has made to the Inter-Parliamentary Union to facilitate the sending of an all-party parliamentary delegation to the Baltic states.

Mr. Douglas Hogg: We have made clear to the IPU that the FCO would be happy to facilitate the proposed visit of an all-party parliamentary delegation to the Baltic states. Her Majesty's embassy in Moscow has been in contact with the Supreme Soviet to urge it to give an early response to the IPU's initiative.

Soviet Union

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the claim by the Soviet Prime Minister Valentin Pavlov that western banks were in a plan to destabilise the Soviet currency; and if he will make a statement.

Mr. Douglas Hogg: We have no information to substantiate Mr. Pavlov's claim. Both our interests and those of the Soviet Union would be best served by the emergence of a free market there. An unstable currency would hinder, not help that process.

Belgium (Arms Dealers)

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to discuss with his Belgian counterpart ways of developing international restrictions on conventional arms and ballistic missile system sales by arms dealers operating out of Brussels.

Mr. Douglas Hogg: We discuss the export of arms with Belgium and with our other partners in the Twelve. We expect to work more closely together in this field in the future. Both Britain and Belgium are also members of the missile technology control regime which aims to combat the proliferation of ballistic missile equipment and technology.

Nuclear Facilities

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) of 12 February, *Official Report*, column *387*, whether the United Kingdom made any substantive input into the discussions at the non-proliferation treaty review conference concerning the threat of military attacks on nuclear facilities.

Mr. Douglas Hogg: The United Kingdom made substantive input into all discussions at the NPT review conference.

Kuwait (Reconstruction)

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the names and companies of those business representatives who accompanied him when he visited the Kuwaiti Government in exile; on what basis these representatives were selected; if any part of their travel or other expenses was met from public funds; and if he will make a statement.

Mr. Douglas Hogg *[holding answer 19 February 1991]:* The business representatives who accompanied my right hon. Friend the Secretary of State were selected on the basis of their position in the sectors of British industry which are most likely to play a part in the reconstruction of Kuwait. They were:

Mr. Peter Berry — Managing Director, Crown Agents.
Mr. Alan Cockshaw — Chairman, AMEC PLC.
Mr. David Douglas Home — Chairman of the Committee on Middle East Trade and Director of Morgan Grenfell.
Mr. Allan Gormly — Chairman of the Overseas Projects Board: MD of John Brown Engineering and Director of Trafalgar House PLC.
Mr. Jim Langford — Chairman, Engineering and Construction Division, Costain Group PLC.
Mr. Bill Pirie — Chairman, Middle East and North Africa Committee, British Consultants Bureau and Associate, Sir Alexander Gibb and Partners Ltd.
Rt. Hon. Lord Prior — Chairman GEC PLC.
Mr. Adrian White — Chairman, Biwater.

No part of their travel or other expenses was met from public funds other than the cost of transport by coach between Jeddah and Ta'if.

TRANSPORT

Light Aircraft (Insurance)

Mr. Fearn: To ask the Secretary of State for Transport if he has any plans to require light aircraft owners to take out insurance which would safeguard the general public.

Mr. McLoughlin: My right hon. and learned Friend has received, in response to requests to the chairman of the Civil Aviation Authority, advice on the issues relating to the introduction of a compulsory insurance scheme for all aircraft registered in the United Kingdom. My right hon. and learned Friend is considering that advice.

Badgers

Mr. Simon Hughes: To ask the Secretary of State for Transport when considering the proposed route for the M3 extension what consideration was given to the impact of the route through meadowland on the habitat for badgers; and if he will make a statement.

Mr. Chope: During the many discussions between my Department and ecological and conservation interests, there have been no suggestions or evidence of badger activity in the vicinity of the proposed route for the final section of the M3 motorway at Winchester. A habitat survey will be carried out this spring and if evidence of badger activity is found appropriate measures including the need for crossings will be considered.

Drink Driving

Mr. Peter Bottomley: To ask the Secretary of State for Transport what research evidence he has received on the comparative reductions in numbers of drink drivers in Great Britain and New South Wales since either the year before or the year after the introduction of random tests in New South Wales.

Mr. Chope: Random breath testing was introduced in New South Wales in December 1982. One measure of the subsequent reduction in the numbers of drink drivers is the fall in the proportion of drivers killed whose blood alcohol level was known who were over the limit. This has fallen

from 36 per cent. in 1983 to 33 per cent. in 1989. The comparative figures for Great Britain show a fall from 28 to 19 per cent., a fall of nine percentage points.

Passenger Safety

Mr. French: To ask the Secretary of State for Transport what representations he has received about the effects on passenger safety of overloading British Rail trains.

Mr. Freeman: The Department of Transport received around 4,000 letters about British Rail in the last year, some of which raised questions about various aspects of overcrowding. Precise figures could be provided only at disproportionate cost.

Train Services

Ms. Walley: To ask the Secretary of State for Transport what assessment he has made of the effects of British Rail's proposed reduction of train services on the Stoke on Trent to Derby service on the local transport infrastructure in the light of his Department's west midlands regional brief, published in January; and if he will make a statement.

Mr. McLoughlin: The level of service on individual lines is a matter for British Rail, subject to the quality of service standards set by the Government.

East Coast Main Line

Mr. Andrew F. Bennett: To ask the Secretary of State for Transport if he will list the footpath and bridleway crossings of the east coast main line for which he has made orders under section 124 of the Transport Act 1968; and if he will place copies of those orders in the Library.

Mr. Freeman: Her Majesty's railway inspectorate has no record of any order being issued under section 124 of the Transport Act 1968 in respect of footpath and bridleway crossings on the east coast main line.

Mr. French: To ask the Secretary of State for Transport (1) what is his policy on the divestment of public land in a depressed market;

(2) how many acres of land surplus to operation requirements are owned by British Rail.

Mr. McLoughlin: The policies that the Government look for in the handling of British Rail land require that the board should make a commercial plan for indentifying and divesting itself of all its underused or surplus property for early outright disposal subject to the need to avoid distress sales. Some 21,500 acres of surplus land are held by British Rail and are available for disposal.

Rail Safety

Mr. French: To ask the Secretary of State for Transport if he intends to ask the railway inspectorate to prescribe maximum safe carrying capacities for British Rail trains.

Mr. Freeman: No. Her Majesty's railway inspectorate's advice is that British Rail's rolling stock is designed to be safe, whatever the numbers travelling on board. Sir Anthony Hidden's report on the Clapham rail accident concluded that if the trains in that accident had been overcrowded, passengers having to stand would not have been at any greater risk than those sitting down. The inquiry into the Cannon Street accident will be considering whether overcrowding on that train had any effect on the risk of injury to which individual passengers were exposed. As a matter of comfort rather than safety, British Rail's current objectives include train loading standards.

Hazardous Substances

Sir Bernard Braine: To ask the Secretary of State for Transport what representations he has received about the possible replacement of the Hazchem safety code with the European Community's Kemler code; and what consultation there has been on this subject with the Health and Safety Commission and local authorities.

Mr. Chope: We have received a number of representations from hon. Members and local authorities, all prompted by the Chief and Assistant Chief Fire Officers' Association—CACFOA. On 16 October 1989, my hon. Friend the Member for South Ribble (Mr. Atkins) received a deputation of north-eastern Members with the president of CACFOA who spoke in favour of the Hazchem code. The Health and Safety Executive has initiated a review of the Dangerous Substances (Conveyance by Road in Road Tankers and Tank Containers) Regulations 1981 which contain the requirements for placards. They have been discussing with all interested parties, including local authority organisations, what should be done, taking account of the fact that the Kemler code is used throughout Europe whereas the Hazchem code is only used in the United Kingdom.

HGV Licences

Mr. Beggs: To ask the Secretary of State for Transport whether he plans to require all drivers of heavy goods vehicle-type vehicles used in road construction to hold heavy goods vehicle licences; and if he will make a statement.

Mr. Chope: No. Drivers of road construction machines, engineering plant, works trucks and digging machines will continue to be exempt from the requirement to hold heavy goods vehicle and large goods vehicle drivers' licences in the new licensing system.

Road Schemes

Sir John Stanley: To ask the Secretary of State for Transport if he will list the road schemes in which his Department has extended the distance limit for safeguarding purposes beyond the 67 m limit specified in article 15(1)(b) of the General Development Order 1988.

Mr. Chope *[holding answer 18 February 1991]:* The distance limit for safeguarding purposes has been extended beyond 67 m in only one case. That is the proposed widening of an approximately 80 mile-long section of the M1 in the east midlands, which forms part of our published intention to widen the motorway between junctions 6A and 33. In this case the safeguarding distance is 67 m from the centre line of each carriageway, slip road, junction and service area or 30 m beyond the existing motorway boundary, whichever is the greater.

SCOTLAND

Skills Improvement

Mr. Worthington: To ask the Secretary of State for Scotland on what occasions in the past five years financial expenditure has been given or offered by the Industry Department of Scotland to help existing or incoming firms with the upgrading of the skills of their present or proposed work force.

Mr. Allan Stewart: Until 15 December 1988 when the scheme was closed training grants under section 7 of the Industrial Development Act 1982 were available to help companies in the assisted areas meet the training costs of new investment projects. Between 1 April 1985 and 15 December 1988, 10 offers of such grant were accepted by Scottish companies. Further details are available in successive annual reports of the Industrial Development Act.

Homelessness

Mr. Ron Brown: To ask the Secretary of State for Scotland how many people are currently homeless in Lothian and Edinburgh respectively; and if he will make a statement.

Lord James Douglas-Hamilton: Figures available centrally relate to the number of households which apply to local authorities and are assessed by them under Part II of the Housing (Scotland) Act 1987. Over the 12 months to 31 March 1990, the number assessed as homeless in Edinburgh was 1,957; the corresponding figure for Lothian was 2,636. I announced in December 1990 that an extra £2 million allocation would be made available in 1991-92 for homelessness projects in the four cities. An announcement of the schemes to be assisted will be made very soon.

Mentally Ill People (Homelessness)

Mr. Wray: To ask the Secretary of State for Scotland what is the percentage of mentally ill people who have been homeless for more than *(a)* four weeks, *(b)* eight weeks, *(c)* six months, and *(d)* one year in (i) Scotland, (ii) Strathclyde and (iii) Glasgow.

Lord James Douglas-Hamilton: This information is not collected centrally.

Sheltered Accommodation (Renfrew)

Mr. McMaster: To ask the Secretary of State for Scotland how long he estimates it will take to provide a sheltered home for every person in Renfrew district who desires one, if expenditure is maintained at its current level.

Lord James Douglas Hamilton: No such estimates are made centrally. The provisional housing capital allocations for 1991-92 issued to Renfrew district council total £21·561 million. Apart from £0·757 million which is earmarked to fund innovative housing projects in the Ferguslie Park partnership area, the remainder of these resources are available for use at the discretion of the local authority to meet housing needs in the area, including the provision of sheltered housing if that is a local priority.

Mr. McMaster: To ask the Secretary of State for Scotland how many people are waiting on a sheltered home within Renfrewshire district.

Lord James Douglas-Hamilton: This information is not held centrally.

Milk

Mrs. Dunwoody: To ask the Secretary of State for Scotland how much organic milk is produced in Scotland; and what proportion is pasteurised.

Mr. Michael Forsyth: No record is held centrally of the volume of milk described as organic, produced in Scotland; any milk sold to the public would require to be heat treated—pasteurised, sterilised, UHT—in accordance with the Milk (Special Designations) (Scotland) Order 1988.

Neil Duncan Case

Mr. Wilson: To ask the Secretary of State for Scotland what steps he has taken to satisfy himself that the interests of youths named in the Crown Office indictment against Neil Duncan and others have been adequately safeguarded; and if he will make a statement.

Lord James Douglas-Hamilton: None. My noble and learned Friend, the Lord Advocate, has the universal and exclusive title to prosecute on indictment in the public interest.

Mr. Wilson: To ask the Secretary of State for Scotland if he will make a statement on the role of the Crown Office in the case of the Crown *v.* Neil Duncan and others.

Lord James Douglas-Hamilton: The role of the Crown Office in this case did not differ from its role in any other proceedings on indictment.

Mr. Wilson: To ask the Secretary of State for Scotland what was the cost to the Exchequer of Crown Office time in preparing the indictment against Neil Duncan and others.

Lord James Douglas-Hamilton: The cost has been calculated as about £225.

Mr. Wilson: To ask the Secretary of State for Scotland what steps he has taken to satisfy hmself that it was necessary for the Crown Office to name youths who were unconnected to the charges with which the Crown eventually proceeded, in the indictment against Neil Duncan and others.

Lord James Douglas-Hamilton: None. The indictments were drafted in accordance with the rules of criminal procedure in Scotland without challenge.

Mr. Wilson: To ask the Secretary of State for Scotland what was the cost to the Exchequer of legal aid in the case of the Crown v. Neil Duncan and others, including the sums paid in respect of defendants whose pleas of not guilty were accepted by the Crown.

Lord James Douglas-Hamilton: This information will not be available until the solicitors' accounts are received by the Scottish Legal Aid Board.

Disabled Workers

Mr. McMaster: To ask the Secretary of State for Scotland what was the percentage of the Scottish work force in each industrial sector who were registered as disabled for each year since 1980.

Mr. Allan Stewart: Information is not available in the form requested.

Law Reform

Mr. Sillars: To ask the Secretary of State for Scotland what correspondence he has received from Murgitroyd and Company about section 25 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990; and what reply he has sent.

Lord James Douglas-Hamilton: My right hon. Friend the Secretary of State recently received a letter from Mr. Ian Murgitroyd of Murgitroyd and Company to which a reply will be sent shortly.

Official Visits

Mr. McMaster: To ask the Secretary of State for Scotland when he, or any of his ministerial team, next plans to make an official visit to the Paisley, South constituency.

Mr. Lang: There are no plans at present to visit the hon. Member's constituency in Paisley, South.

Sites of Special Scientific Interest

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list in the *Official Report* all the designated sites of special scientific interest currently in force in Roxburgh and Berwickshire showing the owner of each site.

Lord James Douglas-Hamilton: The information is not held centrally. I have asked the Nature Conservancy Council to write to the hon. Member.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for Scotland what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. Lang: Most Scottish Office buildings have fluorescent lights, and these are cleaned and relamped regularly. Low-energy lamps are fitted wherever possible. A number of incandescent lights have either been replaced with low-energy compact fluorescent units or converted to accept these.

Food Hygiene

Mrs. Ray Michie: To ask the Secretary of State for Scotland how much money is spent annually on specific research programmes to investigate food poisoning; what funds are made available to develop accurate techniques to identify the causes of food poisoning; and if he will make a statement.

Mr. Michael Forsyth: The estimated cost of research projects on the microbiological safety of food commissioned by the Scottish Office in the current financial year is £187,000. This is part of a much larger programme of research which is sponsored by other Government Departments.

Pollution

Mr. Bellingham: To ask the Secretary of State for Scotland if he will list the appeals under section 10 of the Control of Pollution Act 1974 currently under consideration, showing the dates when they were first lodged; and how many such appeals have been determined in the last six months.

Lord James Douglas-Hamilton: Two appeals, lodged on 24 October 1989 and 27 October 1990, under section 10 of the Control of Pollution Act 1974, are currently under consideration in Scotland. The appeal lodged on 24 October 1989 is in abeyance pending the outcome of a planning inquiry.

Three such appeals have been determined in the last six months.

Scenic Areas

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list each national scenic area in Scotland, the square kilometres occupied by each area, the total of all national scenic areas in the Shetland islands, the Orkney islands, the Highland region, the Western isles, Grampian region, Tayside region, Strathclyde region, Central region, Fife region, the Borders region, and Dumfries and Galloway region; what is the total percentage cover of national scenic areas over the whole area of Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: The information requested is given in the table, with areas shown in hectares. National scenic areas which lie in more than one region are marked with an asterisk. There are no national scenic areas in Fife or Lothian regions.

The total hectarage amounts to 1,017,300, or approximately 12·91 per cent. of Scotland's surface.

"National Scenic Area" is a designation which recognises the character and quality of those landscapes which are considered to merit special protection in a national context.

Region and Area		*Hectares*
Shetland Isles		
Esha Ness		1,300
Muckle Roe		1,200
Herma Ness		1,300
Fethaland		1,600
Foula		1,500
Fair Isle		900
South West Mainland		7,800
Total		15,600
Orkney Islands		
Hoy and West Mainland	Total	14,800
Highland Region		
Kyle of Tongue		18,500
North-west Sutherland		20,500
Assynt-Coigach		90,200
Wester Ross		145,300
Trotternish		5,500
The Cuillin Hills		21,900
The Small Isles		15,500
Morar, Moidart and Ardnamurchan		15,900
Loch Shiel		13,400
Knoydart		39,500
Kintail		16,300
Glen Affric		19,300
Glen Strathfarrar		3,800

Region and Area	Hectares
Dornoch Firth	7,500
Ben Nevis and Glen Coe*	69,600
The Cairngorm Mountains*	37,400
Total	539,600
Western Isles	
South Lewis, Harris and North Uist	108,600
St. Kilda	900
South Uist Machair	6,100
Total	115,600
Grampian Region	
The Cairngorm Mountains*	29,800
Deeside and Lochnagar*	32,200
Total	62,000
Tayside Region	
Ben Nevis and Glen Coe*	4,500
Deeside and Lochnagar*	7,800
Loch Tummel	9,200
Loch Rannoch and Glen Lyon*	47,100
River Tay (Dunkeld)	5,600
River Earn (Comrie to St. Fillans)	3,000
Total	77,200
Strathclyde Region	
Ben Nevis and Glen Coe*	17,500
Loch na Keal, Isle of Mull	12,700
Lynn of Lorn	4,800
Scarba, Lunga and the Garvellachs	1,900
Jura	21,800
Knapdale	19,800
Kyles of Bute	4,400
North Arran	23,800
Loch Lomond*	30,300
Total	137,000
Central Region	
Loch Rannoch and Glen Lyon*	1,300
Loch Lomond*	13,900
The Trossachs	4,600
Total	19,800
Borders Region	
Upper Tweeddale	12,300
Eildon and Leaderfoot	3,600
Total	15,900
Dumfries and Galloway Region	
Nith Estuary	9,300
East Stewartry Coast	5,200
Fleet Valley	5,300
Total	19,800

Hospital Beds

Mr. Wray: To ask the Secretary of State for Scotland what is now the number of hospital beds available to national health service patients in *(a)* Glasgow, *(b)* Strathclyde, and *(c)* Scotland.

Mr. Michael Forsyth: The latest information centrally available is for the year ending 30 September 1990. The average number of available staffed beds then is set out in the table.

	Number
Greater Glasgow Health Board	11,824
Strathclyde[1]	23,543
Scotland	51,503

[1] This covers Greater Glasgow, Lanarkshire, Argyll and Clyde and Ayrshire and Arran health boards.

Local Health Councils

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland whether he will consider holding elections for local health council members.

Mr. Michael Forsyth *[holding answer 18 February 1991]:* No.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will reconsider his decision to abolish independent local health councils and replace them with councils appointed by the health board.

Mr. Michael Forsyth *[holding answer 18 February 1991]:* Local health councils will continue as in the past to be independent bodies. The difference is that places will no longer be reserved for certain groups. Instead all members will be chosen for their individual attributes and on the basis of the contribution which they can make. The Government's decision on this matter was broadly welcomed by the Opposition Front Bench and I see no need to reconsider it.

Wetlands

Mr. Morgan: To ask the Secretary of State for Scotland if he will list those estuaries and other wetlands with nature conservation protection designations, currently facing urban/recreational or industrial development proposals.

Lord James Douglas-Hamilton *[holding answer 19 February 1991]:* The information is not held centrally. However, the Nature Conservancy Council has conducted a review of the estuaries of Great Britain. I understand the full report will be published soon although a summary was published on 13 February .

Lithotripsy Service

Mr. Galbraith: To ask the Secretary of State for Scotland, further to his reply of 28 January, *Official Report*, column *416*, about the Scottish lithotripsy service, what is the level of demand that would justify a lithotripsy service in the West of Scotland.

Mr. Michael Forsyth *[holding answer 11 February 1991]:* It would be for a health board to consider whether current and likely future demand could justify the considerable capital investment involved in providing a second lithotripsy service. However, since the existing service can treat urgent cases within a few days and routine cases within two weeks, it is unlikely that the case for such investment could be made in the foreseeable future.

Health Board Appointees

Mr. Foulkes: To ask the Secretary of State for Scotland what qualifications are possessed by Mr. J. Cahill, Mr. W. M. Ritchie, Mr. I. B. Valentine, Mr. J. W. G. Donaldson, Mrs. A. Dumbar and Dr. K. G. Fegan relevant to their

appointment as non-executive members of Ayrshire and Arran health board; whether any record is kept of their political affiliations; what other appointments by the Secretary of State are held by any of them; and what are the conditions of termination of their appointment following a change of Government.

Mr. Michael Forsyth *[holding answer 15 February 1991]:* All the non-executive members are considered to have experience and ability enabling them to make a valuable personal and collective contribution to the board's work. A central record is not maintained of health board members' political affiliations. The persons in question do not hold other appointments by the Secretary of State. Non-executive members of health boards are appointed for a fixed term of office of two or four years.

EMPLOYMENT

Training, Merseyside

Mr. Frank Field: To ask the Secretary of State for Employment (1) what plans he has to improve training opportunities on Merseyside;

(2) if he will take steps to improve training opportunities on Merseyside in the light of the announcement that the Merseyside Council for Voluntary Services will cut by 50 per cent. its training places for adults in the coming year.

Mr. Jackson: The Merseyside TEC is expected to become fully operational in June 1991. It will be for the TEC to address the training needs of Merseyside, making use in its plans of the new range of flexibilities recently introduced for the major training, enterprise, and educational programmes.

Labour Statistics

Mr. Simon Coombs: To ask the Secretary of State for Employment what is the current level of employment in Wiltshire; and what were the figures in 1985 and 1980.

Mr. Jackson: Employment estimates for counties are compiled only when censuses of employment are taken. The most recent figures available are for September 1987 when there were 206,400 employees in employment in the county of Wiltshire. This compares with 196,700 in September 1984 and 193,800 in September 1981 when the previous censuses were taken. The figures exclude the self-employed and members of Her Majesty's forces.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for Employment what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. Forth: My Department attaches great importance to promoting energy efficiency and has introduced the following measures to ensure that energy efficient lighting is installed in all of our offices and other buildings.

1. The specification for new buildings and major refurbishments of existing buildings now includes a requirement that only energy-efficient fluorescent tubes and miniature fluorescent lamps may be used, unless, for exceptional reasons this is not practicable.
2. Fluorescent tubes and metal filament bulbs in other buildings are being systematically replaced with energy-efficent alternatives.

My Department closely monitors its energy consumption, and introduces energy-saving measures whenever suitable opportunities occur.

Departmental Objectives

Mr. Leighton: To ask the Secretary of State for Employment what changes to departmental aims and objectives have been made in the past year; and what is his estimate of their impact on expenditure plans for 1990-91 and future years.

Mr. Jackson: My Departmen's aims and objectives—as set out in the departmental report—Cm. 1506. February 1991—were revised during 1990 to focus them more closely on labour market outcomes and to take account of changes in the labour market and in the Department's programmes and activities. The changes to the aims and objectives in themselves had no impact on my Department's expenditure plans.

The previous set of aims and objectives were presented in the Department of Employment Chapter of "The Government's Expenditure Plans 1990-91 to 1992-93"—Cm. 1006, January 1990.

Employment Training

Ms. Primarolo: To ask the Secretary of State for Employment if he will give for unemployed people in Avon undergoing employment training on the schemes which have been unsuccessful in their tender for contracts for the year commencing 1 April 1991, the numbers and proportion of those on ET *(a)* who will be able to continue the same or similar course at another site from April 1991 and *(b)* of those who will not be able to continue on ET, the numbers and proportion who will instead (i) be referred to a job club, (ii) be referred to a Restart counsellor, (iii) be referred to job interview guarantee, or (iv) receive a training credit.

Mr. Jackson: Every effort will be made to ensure that those currently on ET who want to continue their training do so. All trainees affected will be reviewed individually so that alternative arrangements of their choice can be identified. Where a person expresses a wish not to continue training they will receive other appropriate help, for example to enhance their job prospects.

"Next Steps" Agencies

Mr. Leighton: To ask the Secretary of State for Employment what progress he has made in establishing "next steps" agencies; and if he will make a statement on the arrangements for financial accountability of each agency that has been established.

Mr. Jackson: In April 1990 my right hon. and learned Friend established the Employment Service as a "next steps" agency. The Employment Service employs some 35,000 people and its priority is to give positive help to unemployed people through its job placement services and other programmes, and by the payment of benefits and allowances to those entitled to them. It is the biggest agency to be set up so far under the "next steps" initiative.

The arrangements for the financial accountability of the Employment Service are set out in the financial agreement between the Employment Department and the Employment Service, which is annex 2 to the framework

document. The financial agreement sets out the respective financial responsibilities of the Department and the agency and seeks to ensure continued accountability for the use of public funds while at the same time allowing ES the necessary flexibility to manage effectively as a "next steps" agency.

Mr. Leighton: To ask the Secretary of State for Employment what annual reports are to be issued by departmental "next steps" agencies; when they are scheduled to appear; and how they relate to the departmental annual report.

Mr. Jackson: My Department has a single executive agency: the Employment Service—ES—which was launched on 2 April 1990. The chief executive will report to the Secretary of State on ES achievements and use of resources at the end of the financial year. The report will be published in the summer. The departmental report published on 5 February contains Employment Department group expenditure plans for the three years from 1 April 1990.

Training, Devon

Mr. Speller: To ask the Secretary of State for Employment if he will list the training providers for the county of Devon in the coming year; and if he will list those agencies whose services he has dispensed with, together with his reasons.

Mr. Jackson: Contractual arrangements with training providers are commercial in confidence and are the responsibility of the Devon and Cornwall TEC.

Textiles and Clothing

Mr. Henderson: To ask the Secretary of State for Employment if he will take steps to monitor job losses in the textile and clothing industry by region and travel-to-work area.

Mr. Forth: Estimates of changes in employment in the textile and clothing industry for regions and for travel-to-work areas are available from the biennial censuses of employment.

Employment service local offices receive advance notice of large scale redundancies and are ready to consider, with the companies involved, specific responses in individual cases. The Department also produces figures on confirmed redundancies for standard regions only, provided that this does not enable individual companies to be identified. I do not intend to add to the burdens on business by extending this information.

DEFENCE

D Notices

Mr. Harry Barnes: To ask the Secretary of State for Defence what D notices have been issued during the current year.

Mr. Archie Hamilton: No new D notices have been issued in 1991 although on a number of occasions D notice advice has been offered to the media on the basis of the current eight standing D notices on which the system runs and which have been largely unchanged since 1982.

Military Bases

Dr. Hampson: To ask the Secretary of State for Defence what has been spent on the development of military bases in Yorkshire and Humberside since 1979.

Mr. Archie Hamilton: Over £300 million has been spent on substantial enhancements to military bases during this period.

Stand-off Nuclear Missile

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) when he expects to announce his decision on a stand-off nuclear missile for the Royal Air Force;

(2) what factors will influence his decision on a stand-off nuclear missile for the Royal Air Force.

Mr. Archie Hamilton: As with all equipment procurement decisions, a variety of factors will be taken into account, including cost, performance, time scale and technical risk. Our consideration of the various options is continuing. The House will be informed as soon as a decision is taken.

Reserve Forces

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) what is the current establishment of the Territorial Army; and how many vacancies there are;

(2) what will be the establishment of the Territorial Army if the proposals contained in "Options for Change" are fully implemented;

(3) what units of the Territorial Army will be retained if the proposals contained in "Options for Change" are fully implemented.

Mr. Maddon: To ask the Secretary of State for Defence what was the total spent in the last year on recruitment to the reserves; how much has been spent from 1 January to date; whether the reserves are at full establishment level; and if he will make a statement.

Mr. Archie Hamilton *[holding answer 14 February 1991]:* Spending on recruitment for the reserves in 1989-90 totalled some £3·55 million. A total of £1·5 million has been spent in the current financial year, up to the end of January, of which some £10,000 relates to bills presented since 1 January.

Previously announced plans for the Territorial Army envisaged an expansion to a total strength, including the Home Service Force, of about 90,000. The current strength is about 75,000. We are not yet in a position to take final decisions on the future size and shape of either organisation.

Territorial Army

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will list the existing units of the Terrritorial Army; and where they are located.

Mr. Archie Hamilton: My noble Friend the Parliamentary Under-Secretary of State for the Armed Forces will write to the hon. and learned Gentleman.

Type 23 Frigates

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he next expects to place an order for a batch of type 23 frigates.

Mr. Kenneth Carlisle: I have nothing to add to my answer of 4 December 1990 to the hon. Member for Newcastle upon Tyne, East (Mr. Brown), at column *104*.

The Gulf

Mr. Parry: To ask the Secretary of State for Defence what is the estimate of the costs of the Gulf hostilities at the latest date.

Mr. Archie Hamilton: The additional costs of the Gulf conflict so far assessed are some £1·5 billion including equipment lost and munitions used. On the basis indicated by my right hon. Friend the Chancellor in the autumn statement last week, we expect that the eventual costs could be £3 billion.

Mr. Parry: To ask the Secretary of State for Defence if the Red Crescent has sent him any official figures of the number of civilians killed in recent bombing raids on Iraq; and if he will make a statement.

Mr. Archie Hamilton: My right hon. Friend has received no such reports from the Red Crescent.

Bunkers, Iraq

Mr. Flynn: To ask the Secretary of State for Defence what contacts his Department has made with British companies or design consultants involved in the building of underground bunkers in Iraq since 1980.

Mr. Archie Hamilton: It is not the practice to comment on such matters.

The Gulf

Mr. Strang: To ask the Secretary of State for Defence (1) how many United Kingdom ground force troops are available for combat in the Gulf;

(2) how many *(a)* MoD personnel, *(b)* United Kingdom service personnel and *(c)* United Kingdom medical personnel are deployed in the Gulf.

Mr. Archie Hamilton: The United Kingdom has committed some 43,000 personnel in total to the coalition force. It would not be appropriate to provide a detailed breakdown of this total, for operational security reasons.

Written Answers to Questions

Thursday 21 February 1991

TRANSPORT

Greater Manchester Relief Road

Mr. Sumberg: To ask the Secretary of State for Transport what alternative solutions to the problem of traffic congestion on the M62 motorway were considered and rejected in favour of the Greater Manchester western and northern relief road.

Mr. Chope: Expanding capacity by widening of the existing motorway; reducing demand for the road by limiting access to the motorway for local traffic or encouraging alternative modes of transport.

Bus Lanes, Westminster

Mr. Cox: To ask the Secretary of State for Transport if he will call for a report from the Commissioner of Police of the Metropolis on what action is to be taken to enforce no parking in bus lanes in Westminster; and if he will make a statement.

Mr. Chope: Enforcement is entirely a matter for the police. My right hon. and learned Friend has no power to intervene in the way suggested.

Airport Congestion

Mr. Gerald Howarth: To ask the Secretary of State for Transport if he will make a statement on the study that his predecessor commissioned on ways in which the system for allocating slots at congested airports might be improved.

Mr. Rifkind: The consultants, SD-Scicon UK Ltd, have completed stage one of the study. I have placed copies of their report in the Library of the House and shall be circulating it to interested parties.

The consultants have identified a number of options for allocating slots which could merit further study and have developed a technique for standardising the assessment of different methods.

I have asked the consultants to proceed to stage two of their study and to present a further report to me in the summer.

Retail Deliveries

Mr. Ward: To ask the Secretary of State for Transport if he will take steps to encourage out-of-hour retail deliveries.

Mr. Chope *[holding answer 19 February 1991]:* I have no current plans to do so. The matter is best determined by highway authorities in response to local circumstances under the wide powers available to them in the Road Traffic Regulation Act 1984. A considerable volume of out-of-hours deliveries already takes place under these arrangements and through agreements between businesses and distribution firms.

A2070

Mr. Speed: To ask the Secretary of State for Transport when he expects to announce the date for the public inquiry into the route of the A2070 Ham street bypass in Kent.

Mr. Chope *[holding answer 19 February 1991]:* I cannot give a date until Kent county council proposes dates for the inquiry convenient to itself, whereupon the Secretary of State will arrange for the appointment of the independent inspector.

ENVIRONMENT

Expenditure, Yorkshire and Humberside

Dr. Hampson: To ask the Secretary of State for the Environment if he will provide a breakdown, by programme, of his Department's expenditure in Yorkshire and Humberside from 1979 to the present.

Mr. Key: A breakdown of the Department's main programmes is given in the table for the years 1986-87 to date. In the case of some DOE programmes, the information available relates to allocations or approvals rather than expenditure.

Information for the years 1979-80 to 1985-86 is not readily available.

Breakdown (by programme) of DOE expenditure in Y and H region

(£ million)

	1986-87	*1987-88*	*1988-89*	*1989-90*	*1990-91[1] forecast outturn*	*1991-92 estimate*
Rate Support Grant/Revenue Support Grant	1,176·30	1,278·20	1,325·40	1,305·80	888·10	n/a
Housing Investment Programme Allocations	125·30	124·30	123·70	106·30	186·70	188·90
Housing Subsidies	0·29	0·27	Nil	Nil	[2]56·73	n/a
UDG/URG/City Grant Approvals	2·09	3·67	33·32	7·54	[3]7·74	n/a
Urban Programme	n/a	24·08	24·10	26·88	27·96	29·32
Urban Development Corporations	n/a	n/a	10·60	18·25	33·00	25·00
Gypsy grants	0·69	0·31	0·70	0·26	1·45	2·00
City Action Team	n/a	n/a	n/a	n/a	0·76	0·85

	1986-87	1987-88	1988-89	1989-90	1990-91[1] forecast outturn	1991-92 estimate
Derelict Land Grant	3·30	8·90	9·68	10·54	14·11	15·58
Private Sector/DLG	1·34	0·83	4·08	1·63	0·55	1·21

[1] 1990-91 saw the introduction of a new capital control system and new financial regime.
[2] This is the housing element of the Housing Revenue Account subsidy.
[3] City Grant approvals to date.

Dr. Hampson: To ask the Secretary of State for the Environment if he will provide a breakdown, by programme, of his Department's expenditure in the metropolitan district of Leeds from 1979 to the present.

Mr. Key: A breakdown of the Department's main programmes is given in the table for the years 1986-87 to date. In the case of some DOE programmes, the information available relates to allocations or approvals, rather than expenditure.

Information for the years 1979-80 to 1985-86 is not readily available.

Breakdown (by programme) of DOE expenditure in Leeds metropolitan district (£ million)

	1986-87	1987-88	1988-89	1989-90	1990-91[1] (forecast outturn)	1991-92 (estimated)
Rate support grant/Revenue support	135·400	144·800	145·800	138·800	137·700	n/a
Housing investment programme allocations	22·400	21·900	20·800	16·900	33·600	31·900
Housing subsidies	nil	nil	nil	nil	[2]8·350	n/a
RDG/URG/City grant (grant approvals)	0·800	2·400	0·200	0·070	0·050	n/a
Urban programme	n/a	3·800	4·700	4·700	5·300	5·400
Urban development corporation	n/a	n/a	2·600	8·750	14·000	12·000
Gypsy grants	nil	nil	0·410	0·035	0·760	0·170
City action team	n/a	n/a	n/a	n/a	0·370	0·400
Derelict land grant (DLG)	0·037	0·132	0·169	0·227	0·750	0·750
Private sector DLG	nil	nil	0·300	0·330	[3]nil	nil

[1] 1990-91 saw the introduction of a new capital control system and new financial regime.
[2] This is the housing element of the housing revenue account subsidy.
[3] Private sector DLG no longer available in Leeds following the introduction of city grant.

Satellite Receivers

Mr. O'Brien: To ask the Secretary of State for the Environment what advice he gives to planning authorities on the fixing of satellite receivers on the outside of properties; under what conditions permission to site such a receiver may be refused; and if he will make a statement.

Mr. Yeo: Where the installation of a satellite dish does not fall within the general permission granted by the Town and Country Planning General Development Order, it is in the first instance for the local planning authority to consider whether planning permission should be granted or refused, having regard to all material considerations. We hope later this year to publish planning guidelines which will give advice on unobtrusive siting of dishes.

Mr. O'Brien: To ask the Secretary of State for the Environment if he intends to amend the regulations specifying the planning conditions for the fixing of a satellite receiver on the outside of a property; and if he will make a statement.

Mr. Yeo: I refer the hon. Gentleman to the answers given by the then Minister for Planning to my hon. Friend the Member for Chelmsford (Mr. Burns) on 1 November, *Official Report*, column *695*, and my hon. Friend the Member for Billericay (Mrs. Gorman) on 13 November, *Official Report*, column *93*. We hope to announce shortly how the Town and Country Planning General Development Order 1988 will be amended in the light of the consultation exercise undertaken last summer and the subsequent Sky-BSB merger.

Mr. O'Brien: To ask the Secretary of State for the Environment what representations he has received about the accuracy of the advice given to purchasers of a satellite receiver by the suppliers in respect of planning conditions; and if he will make a statement.

Mr. Yeo: No representations have been received. The forthcoming departmental planning guide for the siting of satellite antennas will be widely distributed among the suppliers of antennas. This should help to improve the quality of advice and also the standard of installation.

Waste Disposal Plants

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment whether he has any plans to encourage the use of electromagnets at waste disposal plants.

Mr. Baldry: The potential return on the use of magnetic separation at a waste disposal plant should be enough to encourage the use of electromagnets without any Government intervention.

Nevertheless, we have made available £10 million in supplementary credit approvals for local authorities in England in 1991-92, for investment in recycling facilities.

Countryside Premium Scheme

Mr. Ron Davies: To ask the Secretary of State for the Environment how many farmers are currently eligible for admission to the countryside premium scheme; how many are actively enrolled in the scheme; what is the current cost of the scheme; and what percentage of the total amount is reimbursed from CAP funds.

Mr. Baldry: All farmers in Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire and Suffolk entering permanent fallow land into MAFF's set aside scheme are eligible for admission to the countryside premium scheme. Land set aside for rotational fallow, grazed fallow or non-agricultural use may also be eligible in certain circumstances. There are currently about 850 farmers in the seven counties with set-aside land in these eligible categories.

To date, the Countryside Commission has made agreements under the countryside premium scheme with 160 farmers and, in 1991-92, expenditure is expected to be £750,000. The scheme is not currently eligible for reimbursement from CAP funds.

Structure Plans

Sir Thomas Arnold: To ask the Secretary of State for the Environment what employment factors he takes into account when approving structure plans.

Sir George Young: I refer my hon. Friend to the answer I gave him on 12 February, *Official Report*, column *426*. The economic factors taken into account by local planning authorities and my right hon. Friend would include considerations such as current and possible future levels of employment in the area.

Sir Thomas Arnold: To ask the Secretary of State for the Environment whom he expects to consult on his proposed modifications to the Cheshire structure plan in the spring.

Sir George Young: My right hon. Friend will notify Members of Parliament of the proposed modifications of the Cheshire structure plan who have expressed an interest, and all those who represent Cheshire, together with the participants at the examination in public. Cheshire county council will be asked to place copies of the proposed modifications and supporting documents on deposit for public inspection. It must advertise that this has been done and inform those who made representations on the plan.

Low-energy Light Bulbs

Mr. Cartwright: To ask the Secretary of State for the Environment what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

Mr. Baldry: My Department's policy relating to the promotion of low-energy lighting is, wherever practicable, to replace all standard luminaires, both tungsten and fluorescent, with low-energy consuming equivalents.

In the three largest headquarters buildings a programme of lighting improvements is currently being carried out. All these projects incorporate the installation of low-energy fluorescent tubes and miniature fluorescent fittings. The number of tungsten bulbs in current use throughout the Department's offices is minimal, but these will be replaced as part of the ongoing programme to reduce overall energy consumption.

Radioactivity

Mr. Flynn: To ask the Secretary of State for the Environment what levels of radioactivity are permitted for release to the atmosphere after the incineration of radioactively contaminated materials.

Mr. Baldry: Radioactive waste may be disposed of only if an authorisation has been issued under the Radioactive Substances Act 1960 by Her Majesty's inspectorate of pollution. Authorisations impose strict conditions and activity limits and are issued only after careful assessment is made of the environmental impact of proposed disposals to ensure that doses to the public are below the maximum permissible limits as recommended by the International Commission on Radiological Protection. As for disposal by incineration, authorisations are issued on a case-by-case basis taking all the local circumstances into account. However, it is usual to permit disposals of up to 4 megabecquerels per day of the commonly used tritium and carbon-14 without this detailed examination.

Pollution Control

Mr. Devlin: To ask the Secretary of State for the Environment whether he expects all requisite guidance to be in place before the implementation of integrated pollution control under the Environmental Protection Act 1990 on 1 April; and if he will make a statement.

Mr. Baldry: General guidance on the operation of integrated pollution control will be issued before 1 April. More detailed guidance on particular categories of process will be made available in accordance with the timetable for bringing processes in these categories under integrated control.

Mr. Devlin: To ask the Secretary of State for the Environment what representations he has received from the speciality chemicals industry about integrated pollution control requirements under the Environmental Protection Act 1990.

Mr. Baldry: The Department has received representations from the speciality chemicals industry about particular characteristics of the processes they operate. In addition, we have consulted the industry's main representatives, the Chemical Industries Association, in drawing up guidance and preparing regulations on integrated pollution control.

Mr. Devlin: To ask the Secretary of State for the Environment if he will further consult the speciality chemicals industry before the detailed implementation of integrated pollution control.

Mr. Baldry: The Department has already drawn on the expertise of the speciality chemicals industry in preparing regulations and drawing up general guidance for the implementation of integrated pollution control. Final versions will be published shortly. Further consultation will be undertaken on detailed issues as appropriate.

Dr. Thomas: To ask the Secretary of State for the Environment if he will make it his policy to adopt the

principle of a presumption in favour of unrestricted access for the public to information held by pollution control authorities.

Mr. Baldry: Yes. The Water Act 1989 and the Environmental Protection Act 1990 provide for public access to information in respect of water pollution, integrated pollution control and local authority air pollution control.

Fire Safety

Mr. Ken Hargreaves: To ask the Secretary of State for the Environment how many members serve on the fire advisory panel; and how many of those members are also members of the Society of Fire Safety Engineers.

Mr. Yeo: The Fire Advisory Panel has 13 outside members, of whom seven are also members of the Society of Fire Safety Engineers. In addition, eight officials regularly attend its meetings, and of those, three are members of the society.

Bathing Beaches

Mr. Gareth Wardell: To ask the Secretary of State for the Environment (1) if he will name the designated bathing beach in England which had the highest number of total coliforms present in any single water sample taken during the 1990 bathing season; and if he will indicate the level reached;

(2) if he will name the designated bathing beach in England which had the highest number of E. coli present in any single water sample taken during the 1990 bathing season; and if he will indicate the level reached.

Mr. Baldry: I refer the hon. Member to the publication "Bathing Water Directive (76/160/EEC) Article 13 Report (1990 Survey Results) United Kingdom", copies of which are available in the Library.

Dr. Thomas: To ask the Secretary of State for the Environment if he will make it his policy to publish information concerning the presence of chemicals and the level of general pollution as part of the beach standards test list.

Mr. Baldry: Monitoring of the quality of bathing water is carried out in accordance with the requirement of directive 76/160/EEC. In England and Wales the results of the monitoring are maintained on public registers by the regional offices of the National Rivers Authority. Summary results are published in "Bathing Water Directive (76/160/EEC) Article 13 Report (1990 Survey Results) United Kingdom", copies of which are available in the Library.

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will publish in the *Official Report* a list of the designated bathing beaches in England, indicating for each the date that they became designated in accordance with the 1976 EC bathing water directive.

Mr. Baldry: The dates on which bathing waters were identified as being subject to the requirements for standards specified in directive 76/160/EEC are as follows:

	Date Identified	
Northumbrian Region		
Spittal	1987	
Bamburgh Castle[1]	1989	(1987)
Seahouses North[1]	1989	(1987)
Beadnell	1987	
Low Newton	1987	
Alnmouth	1987	
Warkworth	1987	
Druridge Bay	1987	
Newbiggin North[1]	1989	(1987)
Newbiggin South[1]	1989	(1987)
Blyth South Beach[1]	1989	(1987)
Seaton Sluice[1]	1989	(1987)
Whitley Bay	1987	
Tynemouth Cullercoats[1]	1989	(1987)
Tynemouth Long Sands North[1]	1989	(1987)
Tynemouth Long Sands South[1]	1989	(1987)
Tynemouth King Edwards Bay[1]	1989	(1987)
South Shields	1987	
Marsden	1987	
Whitburn North[1]	1989	(1987)
Roker/Whitburn South[1]	1989	(1987)
Seaham Beach[1]	1989	(1987)
Seaham Remand Home[1]	1989	(1987)
Crimdon	1987	
Seaton Carew North[1]	1989	(1987)
Seaton Carew Centre[1]	1989	(1987)
Seaton Carew North Gare[1]	1989	(1987)
Redcar Coatham[1]	1989	(1987)
Redcar LB Station[1]	1989	(1987)
Redcar Granville[1]	1989	(1987)
Redcar Stray[1]	1989	(1987)
Saltburn	1987	
Yorkshire Region		
Staithes	1987	
Runswick Bay	1987	
Sandsend	1987	
Whitby	1987	
Robin Hoods Bay	1987	
Scarborough North Bay	1979	
Scarborough South Bay	1979	
Clayton Bay	1987	
Filey	1987	
Reighton	1987	
Flamborough North Landing	1987	
Flamborough South Landing	1987	
Bridlington North Beach	1979	
Bridlington South Beach	1979	
Wilsthorpe	1987	
Fraisthorpe	1987	
Earls Dyke	1987	
Barmston	1987	
Skipsea	1987	
Hornsea	1987	
Tunstall	1987	
Withernsea	1987	
Anglian Region		
Cleethorpes	1987	
Mablethorpe Town	1987	
Sutton-on-Sea	1987	
Moggs Eye	1987	
Anderby	1987	
Chapel St. Leonard	1987	
Ingoldmells South	1987	
Skegness	1987	
Heacham	1987	
Hunstanton Beach	1987	
Wells	1987	
Sheringham	1987	
Cromer	1987	
Mundesley	1987	
Great Yarmouth North	1987	
Great Yarmouth Pier	1987	
Great Yarmouth South	1987	
Lowestoft North	1987	
Lowestoft South	1987	
Southwold	1990	
Felixstowe North	1987	
Felixstowe South	1987	

	Date Identified	
Dovercourt	1987	
Walton	1987	
Frinton	1987	
Holland	1987	
Clacton	1987	
Jaywick	1987	
Brightlingsea	1987	
West Mersey	1991	
Thames Region		
Shoebury East	1989	
Southend Thorpe Bay	1979	
Southend Westcliff Bay	1979	
Southern Region		
Sheerness	1991	
Leysdown	1987	
West Beach	1987	
Herne Bay	1987	
Minnis Bay	1987	
St. Mildred's Bay	1987	
Margate the Bay	1979	
Margate Fulsam Rock	1987	
Joss Bay	1987	
Broadstairs	1987	
Ramsgate	1987	
Sandwich Bay	1987	
Deal Castle	1987	
St. Margaret's Bay	1987	
Folkestone	1987	
Sandgate	1987	
Hythe	1987	
Dymchurch	1987	
St. Mary's Bay	1987	
Littlestone	1987	
Camber	1987	
Winchelsea	1987	
Hastings	1987	
Bexhill	1987	
Norman's Bay	1987	
Pevensey Bay	1987	
Eastbourne	1987	
Seaford	1987	
Newhaven	1987	
Saltdean	1987	
Brighton	1987	
Hove	1987	
Southwick	1987	
South Lancing	1987	
Worthing	1987	
Littlehampton	1987	
Middleton-on-Sea	1987	
Bognor Regis	1987	
Pagham	1987	
Selsey	1987	
Bracklesham Bay	1987	
West Wittering	1987	
West of Eastoke	1987	
West Hayling	1987	
Eastney	1987	
Southsea	1987	
Stokes Bay	1987	
Lee-on-Solent	1987	
Hillhead	1990	
Calshot	1987	
Lepe	1987	
Milford-on-Sea	1987	
Christchurch Bay	1987	
Highcliffe	1987	
Compton Bay	1987	
Totland Bay	1987	
Colwell Bay	1987	
Gurnard	1987	
Cowes	1987	
Ryde	1979	
Seagrove	1987	
St. Helens	1987	
Bembridge	1987	

	Date Identified	
Whitecliff Bay	1987	
Sandown	1979	
Shanklin	1979	
Ventnor	1987	
Wessex Region		
Christchurch Highcliffe Castle[1]	1987	(1979)
Christchurch Friar's Cliff	1990	
Christchurch Avon Beach	1987	(1979)
Christchurch Mudeford Sandbank[1]	1987	
Bournemouth Hengistbury	1987	
Bournemouth Pier	1979	
Poole Shore Road Sandbanks	1987	
Poole Harbour Sandbanks	1979	
Poole Harbour Lake	1987	
Poole Harbour Rockley Sands	1987	
Shell Bay	1987	
Studland	1987	
Swanage	1979	
Kimmeridge Bay	1987	
Lulworth Cove	1987	
Durdle Door East	1987	
Durdle Door West	1987	
Ringstead	1987	
Bowleaze Cove	1987	
Church Ope Cove	1987	
Weymouth Lodmoor	1987	
Weymouth Central	1979	
Portland Harbour Castle Cove	1987	
Portland Harbour Sandsfoot	1987	
West Bay (West)	1987	
Eypemouth	1987	
Seatown	1987	
Charmouth West	1987	
Porlock Weir	1987	
Minehead Terminus	1987	
Dunster North West	1987	
Blue Anchor West	1987	
Burnham Jetty	1987	
Berrow	1987	
Brean	1987	
Weston-S-Mare Uphill Slipway[1]	1987	(1979)
Weston-S-Mare Grand Pier[1]	1987	(1979)
Weston-S-Mare Sand Bay[1]	1987	(1979)
Clevedon Swimming Pool	1987	
South West Region		
Lyme Regis Church Beach[1]	1989	(1987)
Lyme Regis Cobb[1]	1989	(1987)
Seaton (Devon)	1987	
Beer	1987	
Sidmouth Town[1]	1989	(1987)
Sidmouth Jacobs Ladder[1]	1989	(1987)
Ladram Bay	1987	
Budleigh Salterton	1987	
Sandy Bay	1987	
Exmouth	1987	
Dawlish Warren	1987	
Dawlish Town[1]	1989	(1987)
Dawlish Coryton Cove[1]	1989	(1987)
Teignmouth Holcombe[1]	1989	(1987)
Teignmouth Town[1]	1989	(1987)
Shaldon	1987	
Ness Cove	1987	
Maindencombe	1987	
Watcombe	1987	
Oddicombe	1987	
Babbacombe	1987	
Redgate	1987	
Meadfoot	1979	
Beacon Cove	1987	
Torre Abbey	1979	
Hollicombe	1987	
Paignton Preston Sands[1]	1989	(1979)
Paignton Paignton Sands[1]	1989	(1979)
Goodrington	1979	
Broadsands	1979	
Shoalstone	1987	

	Date Identified	
St. Mary's Bay	1987	
Dartmouth Castle and Sugary Cove	1987	
Blackpool Sands	1987	
Slapton Sands Monument[1]	1989	(1987)
Slapton Sands Torcross[1]	1989	(1987)
Mill Bay	1987	
Salcombe North Sands	1987	
Salcombe South Sands	1987	
Hope Cove	1987	
Thurlestone South[1]	1989	(1987)
Thurlestone North[1]	1989	(1987)
Bantham	1987	
Bigbury-on-Sea South[1]	1989	(1987)
Bigbury-on-Sea North[1]	1989	(1987)
Challaborough	1987	
Mothecombe	1987	
Wembury	1987	
Bovisand	1987	
Plymouth Hoe East[1]	1989	(1987)
Plymouth Hoe West[1]	1989	(1987)
Portwrinkle	1987	
Downderry	1987	
Seaton (Cornwall)	1987	
Millendreath	1987	
East Looe	1987	
Readymoney	1987	
Polkerris	1987	
Par	1987	
Crinnis Golf Links[1]	1989	(1987)
Crinnis Leisure Centre[1]	1989	(1987)
Charlestown[1]	1989	(1987)
Duporth[1]	1989	(1987)
Porthpean	1987	
Pentewan	1987	
Polstreath	1987	
Port Mellon	1987	
Gorran Haven Little Perhaver[1]	1989	(1987)
Gorran Haven (Vault)[1]	1989	(1987)
Porthluney	1987	
Pendower	1987	
Gyllyngvase	1987	
Swanpool	1987	
Maen Porth	1987	
Porthallow	1987	
Porthoustock	1987	
Coverack	1987	
Kennack Sands	1987	
Pollurian Cove	1987	
Poldhu Cove	1987	
Gunwalloe Cove	1987	
Porthleven East[2]	1989	(1987)
Porthleven West[1]	1989	(1987)
Praa Sands East[1]	1989	(1987)
Praa Sands West[1]	1989	(1987)
Perran Sands	1987	
Mounts Bay L Hogus[1]	1989	(1987)
Mounts Bay Heliport[1]	1989	(1987)
Mounts Bay Penzance[1]	1989	(1987)
Mounts Bay Wherry Town[1]	1989	(1987)
Porthcurno	1987	
Sennen	1979	
Porthmeor	1979	
Porth Gwidden	1987	
Porthminster	1979	
Carbis Bay Station Beach[1]	1989	(1987)
Carbis Bay Porth Kidney Sands[1]	1989	(1987)
The Towans (Hayle)[1]	1989	(1987)
The Towans (Godrevy)[1]	1989	(1987)
Portreath	1987	
Porthowan	1987	
Trevaunance Cove	1987	
Perranporth Village End[1]	1989	(1987)
Perranporth Penhale Sands[1]	1989	(1987)
Holywell Bay	1987	
Crantock	1987	
Fistral	1979	
Towan	1979	
Watergate	1987	

	Date Identified	
Mawgan Porth	1987	
Treyarnon Bay	1987	
Constantine Bay	1987	
Mother Ivey's Bay	1987	
Harlyn Bay	1987	
Trevone Bay	1987	
Rock	1987	
Daymer Bay	1987	
Polzeath	1987	
Widemouth Sand	1987	
Bude Summerleaze[1]	1989	(1987)
Bude Crooklets[1]	1989	(1987)
Bude Sandy Mouth[1]	1989	(1987)
Hartland Quay	1987	
Westward Ho!	1987	
Instow	1987	
Saunton Sands	1987	
Croyde Bay	1987	
Woolacombe Putsborough[1]	1989	(1987)
Woolacombe Village[1]	1989	(1987)
Ilfracoombe Tunnels Pool	1990	
Ilfracombe Capstone[1]	1989	(1987)
Ilfracombe Hele[1]	1989	(1987)
Combe Martin	1987	
Lynmouth	1987	
North West Region		
Meols	1987	
Moreton	1987	
New Brighton	1987	
Formby	1987	
Ainsdale	1987	
Southport	1987	
St. Annes	1987	
St. Annes North	1988	
Blackpool South	1987	
Blackpool Central	1987	
Blackpool North	1987	
Bispham	1987	
Cleveleys	1987	
Fleetwood	1987	
Heysham—Half Moon Bay	1987	
Morecambe South	1987	
Morecambe North	1987	
Bardsea	1987	
Aldingham	1988	
Newbiggin	1988	
Walney Biggar Bank	1987	
Walney Sandy Gap	1987	
Walney West Shore	1987	
Roan Head	1987	
Askam-in-Furness	1987	
Haverigg	1987	
Silecroft	1987	
Seascale	1987	
St. Bees	1987	
Allonby South	1988	
Allonby	1987	
Silloth	1987	
Skinburness	1988	

[1] Some bathing waters have been subdivided since first identified. The date in parenthesis is when the bathing water was first identified, and the other date is when the bathing water was subdivided for the purposes of Directive 76/160/EEC.

[2] A landslip at Porthleven East in May 1989 made the beach inaccessible.

Estuaries

Mr. Hardy: To ask the Secretary of State for the Environment if he will list the estuaries in the United Kingdom which are regarded as of environmental importance and those which require to be protected under the terms of the Ramsar convention.

Mr. Baldry: The information readily available relates to Great Britain. The majority of our estuaries encompass areas that are of environmental importance and where appropriate these are protected as sites of special scientific interest. The Nature Conservancy Council has undertaken a review of the nature conservation interests of the estuaries of Great Britain and I understand that its full report is due to be published on 25 March. Sites which contain estuarial areas where it has been agreed that the Ramsar criteria are met, and which have been designated, are as follows:

1. Bridgewater Bay
2. Cors Fochno and Dyfi
3. Lindisfarne
4. Minsmere-Walberswick
5. North Norfolk Coast
6. Chesil Beach and The Fleet
7. Dee Estuary
8. The Swale
9. Alt Estuary
10. Rockliffe Marshes
11. Chichester and Langstone Harbours
12. Upper Severn Estuary
13. The Wash
14. Pagham Harbour
15. Bridgend Flats, Islay
16. Griunart Flats
17. Loch an Duin

Local Government Finance

Mr. Hinchliffe: To ask the Secretary of State for the Environment what assessment he has made of the implications for the voluntary sector of changes in local authority funding levels.

Mr. Key: It is for each individual local authority to decide on the level of its funding for the voluntary sector. We have increased the amount of external support to local authorities next year by 12·8 per cent.

The Gulf

Mr. Dalyell: To ask the Secretary of State for the Environment if he will make a statement on action to mitigate oil spills and ecological damage in the Gulf.

Mr. Heseltine: The states whose coastlines are most at risk from the oil deliberately released from Iraqi installations or as a consequence of Iraqi shelling have the primary responsibility for response action. Recognising the unprecedented scale of the threat, both the coalition Governments and the wider international community have offered assistance to the Gulf states in the form of expertise or pollution control equipment. I described the initial assistance offered by the United Kingdom in my letter to hon. Members of 6 February which included both expert advice on pollution control and assessment of the biological effects of the oil spill. Our current information is that the largest oil slick has had a serious impact along parts of the coastline of Saudi Arabia from Khafji as far south as the island of Abu Ali. Protective booms are in place round the intakes for major industrial and desalination plants along the Saudi coast and work has begun on protecting the most ecologically sensitive sites.

Mr. Dalyell: To ask the Secretary of State for the Environment what assessment he has made of the destruction of coral reefs in the Gulf forming the spring spawning grounds for large shrimp fisheries.

Mr. Heseltine *[holding answer 18 February 1991]:* The assessment of the biological effects of the Gulf oil spill carried out by the Natural Environment Research Council for my Department includes a description of the likely effects of oil on the coral ecosystem in the Gulf. A copy of this report is in the Library. We do not yet have sufficiently detailed information from the Gulf to determine how serious the impact of the slick has been, but it is likely that at least some of the coastal reefs between Khafji and Manifa in Saudi Arabia have been affected.

Litter Code

Mr. Blunkett: To ask the Secretary of State for the Environment how many local authorities submitted comments on his proposals to implement the litter code under the Environmental Protection Act 1990 into existing compulsory competitive tendering arrangements, as set out in his letter of 9 January to the three local authority associations; and what proportion of the comments he received were in favour of the proposals.

Mr. Trippier: The Department received 39 responses to its consultation letter of 4 January setting out the Government's proposals for introducing transitional arrangements to facilitate the implementation of the litter duty in cases where street cleaning contracts had already been let by local authorities. The respondents, who included the main local authority associations in England, Wales and Scotland and various other representative associations, made a significant number of constructive comments. These comments are being carefully considered and an announcement will be made shortly.

Interim Development Orders

Mr. John Marshall: To ask the Secretary of State for the Environment if he has any proposals to alter the procedures relating to interim development orders; and if he will make a statement.

Sir George Young: Yes. The Government believe that it is inequitable that the extent and terms of these permissions, which have been in existence for close to 50 years, are not recorded and that householders and others may have been disadvantaged by this lack of knowledge.

The Government intend, therefore, to table amendments during the passage of the Planning and Compensation Bill to provide that, unless the holder of an IDO permission applies to the appropriate mineral planning authority within four months of the date of the commencement of the provisions for the permission to be registered, the permission will cease to have effect. My Department will consult on the detail of what we have in mind, including the appropriate time period for applications to be submitted.

The Government recognise that registration in itself will not deal with the problems of the lack of conditions attached to such permissions. Residential and other development may have been built on or near IDO permission areas; similarly, parts of IDO sites may have been designated as sites of special scientific interest or of other environmental importance—without knowledge of the fact that the permission existed or the terms of the conditions attached to it. The Government are therefore considering whether to require that applications for registration of IDO permissions are accompanied by schemes of operating, restoration and, where appropriate,

aftercare conditions for the approval of the mineral planning authority. The Government take the view that it would be sensible to use the opportunity of registration to apply conditions and believe that responsible operators would share that view. Applicants would be able to appeal to the Secretary of State against refusal or the imposition of unreasonable conditions by the authority. My Department will be issuing today a short consultation paper on these proposals, copies of which have been placed in the Libraries of the House, and will consider the response before taking a firm decision. The question of the impact of the proposals on the compensation rights of operators would be covered in the consultation exercise.

The Government have also considered carefully whether it would be right to take statutory measures now to deal with the problems of unworked land and IDO permission boundaries. Although we fully appreciate the strength of feelings on this issue and the legitimate concerns expressed, we are not convinced that it would be right to expropriate legitimate mineral working rights without a detailed examination of all the implications and full and considered consultation on any proposed changes.

My Department will therefore look at these issues very closely in its comprehensive review of the existing powers available to mineral planning authorities for dealing with inadequate permissions and we shall be considering whether we can reach early conclusions on the compensation aspects. In the meantime, I intend to invite the industry, in the context of agreeing a scheme of operating and restoration conditions with the mineral planning authority, to discuss an adjustment to the boundaries of their rights where appropriate.

These proposals are subject to consultation with representatives of the local authorities, environmental groups, the industry and land-owners. They aim to provide the right balance between the needs of the country for a secure and effective supply of minerals, together with information about where these sites are worked and ensuring that the minerals are extracted in an environmentally sensitive way. As we made clear in the Environment White Paper it is necessary to strike a careful balance between the interests of amenity and the need to exploit the resource. Mineral operators must take account of best environmental practice and aim to be good neighbours. I am aware that increasingly the industry accepts its responsibility to work sites in an environmentally sensitive manner and to restore land once working has ceased.

Rent Arrears

Mr. John Marshall: To ask the Secretary of State for the Environment what the latest figures are on the arrears of rent outstanding to each local housing authority in England; and if he will make a statement.

Sir George Young: I have today arranged for the information to be placed in the Library.

As at 1 April 1990, rent arrears owing to all English housing authorities amounted to some £360 million, (7·8 per cent. of the total rent collectable.) This is an increase of 12 per cent. compared with the figure at 1 April 1989. The 10 authorities with the worst arrears represent 37 per cent. of the total; their level of arrears ranges from about 18 per cent. of the rent collectable, in Camden, to about 45 per cent., in Brent. London accounts for 46 per cent. of the national total; total London arrears are £165 million and nine of the 10 worst authorities are in London; but I am glad to see that seven London boroughs have reduced the amount of rent outstanding to them.

The figures are an indictment of too many authorities for their poor management and, while a third have improved their performance and deserve commendation for this, the figures show that far too many are not acting upon the advice on rent collection given by the Department and the Audit Commission.

The three poorest performing authorities are those that turned in the worst performance last year. In Brent, Lambeth and Southwark, tenants between them owe over £60 million worth of rent. Since the introduction of the new housing finance system in April 1990, the cost of arrears are borne by the tenants who do pay their rent. If some tenants do not pay, either rents generally will go up or the level of service will fall. Authorities are also required to account to their tenants for their housing management by publishing indicators of their performance, from April this year onwards. I expect tenants to demand major changes in authorities' policies towards non-payers, and to put pressure on them to ensure that arrears of this magnitude become a thing of the past.

ATTORNEY-GENERAL

Birmingham Pub Bombings

Mr. Mullin: To ask the Attorney-General (1) what consideration was given to seeking an order to restrain former Chief Superintendent George Reade from going to Australia prior to the hearing of the appeal of the six men convicted of the Birmingham pub bombings; and if he will make a statement;

(2) when he was first made aware that former Chief Superintendent George Reade was proposing to travel to Australia; and what undertaking he sought as regards Mr. Reade's availability for inquiries relating to the appeal of the six men convicted of the Birmingham pub bombings.

The Attorney-General: This case remains under consideration by the courts. I will write to the hon. Member after the appeal has been determined.

Mr. Mullin: To ask the Attorney-General what was the cost to public funds of sending Devon and Cornwall police officers to Australia to interview former Chief Superintendent George Reade.

The Attorney-General: The Director of Public Prosecutions has arranged for the chief constable of the Devon and Cornwall police to write to the hon. Member giving the information requested.

Pre-trial Issues

Sir John Wheeler: To ask the Attorney-General if he will make a statement concerning the inter-agency working group on pre-trial issues.

The Attorney-General: The Lord Chancellor, the Home Secretary and I have received a report from the working group on pre-trial issues which makes a number of detailed and far-reaching recommendations for improvements in the processing of criminal cases to the point of trial.

We welcome the report as a valuable basis for action in consultation with the CPS, the police, the courts, and other organisations and bodies with a direct interest in the

implementation of the recommendations. We have appointed a steering group of officials to carry forward implementation of the report and to undertake these consultations in order to establish the resource implications of the proposals made, and to provide by the summer recess a costed action plan for implementation.

Copies of the report have been placed in the Libraries of both Houses and sent to the Select Committee on Home Affairs which last year conducted an inquiry into the impact on the criminal justice system of the establishment of the CPS and made many recommendations which the working group has carried forward.

CIVIL SERVICE

Disabled Employees

Mr. Allen: To ask the Minister for the Civil Service what steps he is taking to promote the meeting of legal quotas for employing disabled people in Government Departments; and if he will make a statement.

Mr. Renton: All Departments and agencies aim to employ a 3 per cent. quota of registered disabled staff. My Department has introduced a range of initiatives, outlined in the code of practice on the employment of people with disabilities in the civil service, to help Departments and agencies to achieve this. The annual report on progress will be published next month in the magazine "Independent". Copies will be placed in the Library of the House.

HOME DEPARTMENT

Human Rights

Mr. Wigley: To ask the Secretary of State for the Home Department if he will make a statement on the incorporation of the European convention on human rights into United Kingdom law.

Mr. Peter Lloyd: We have no plans to propose legislation to incorporate the European convention on human rights and fundamental freedoms into domestic law. We are committed to, and support, the principles of human rights in the convention, but we believe that it is for Parliament rather than the judiciary to determine how these principles are best secured.

Magistrates Courts

Mr. Battle: To ask the Secretary of State for the Home Department (1) what assessment he has made of the efficiency of magistrates courts' committees; and if he will make a statement;

(2) if he has received any representations on the report of the scrutiny team concerning magistrates courts; and if he will make a statement;

(3) whether his Department has any plans to reform the financial administration of magistrates courts; and if he will make a statement;

(4) if he will make a statement on his Department's response to the scrutiny report on magistrates courts' services.

Mr. John Patten: No decisions have yet been reached on the proposals for reorganising and financing the magistrates' courts service contained in the scrutiny report on the service. We have received views from the representative organisations of the service, magistrates courts' committees, individual members of the service and other interested parties. We are considering these views in the light of the assessment by independent consultants last year of the costs of implementation.

Community Charge

Mr. Meale: To ask the Secretary of State for the Home Department (1) if he will give the number of court actions which have so far been undertaken in the Mansfield court area for the non-payment of the poll tax;

(2) if he will give the number of court actions which have so far been undertaken for the non-payment of the poll tax by petty sessions division area.

Mr. John Patten: The available information, which is provided by justices' clerks on a clerkship basis, is placed in the Library as soon as possible after its collation. Information for the period 1 April to 30 September 1990 is already in the Library and for the period 1 October to 31 December 1990 will be placed in the Library this week.

Immigration

Mr. Vaz: To ask the Secretary of State for the Home Department how many outstanding cases there were for October, November, December 1990 and January 1991 under the headings of *(a)* naturalisation, *(b)* registration, *(c)* refugees, *(d)* asylum seekers, and *(e)* general immigration; and what was the number of new casework applications in each of those areas for each month.

Mr. Peter Lloyd: The number of outstanding cases and intakes in the immigration and nationality department by the categories requested is as follows:

	Nationality			
	Naturalisation[1]	*Registration*[1]	*General immigration casework*[1,2]	*Asylum and related casework*[1,3]
Outstanding cases				
October	63,553	24,485	20,910	29,936
November	64,818	23,853	21,931	32,566
December	63,597	22,677	21,765	35,304
January	61,331	21,859	20,919	37,666
Intakes				
October	1,645	969	30,656	6,261
November	1,425	803	30,264	5,800

	Nationality			
	Naturalisation[1]	Registration[2]	General immigration casework[1,2]	Asylum and related casework[1,3]
December	1,334	667	21,467	4,740
January	1,514	883	27,356	6,513

[1] Does not include applications received in the Department but which await allocation to caseworkers.
[2] Includes referred entry clearance applications, and enquiries submitted by letter, as well as variation of leave cases. Includes both general and eastern European casework (the latter was absorbed into general casework in July 1990).
[3] These figures are a total of all work outstanding in the refugee unit.

Police Costs

Mr. Fraser: To ask the Secretary of State for the Home Department what is the current cost of the Metropolitan, West Midlands and Merseyside police forces expressed in terms of cost per crime cleared up.

Mr. Peter Lloyd: The available information on the amount of police time spent on different types of activity, including clearing up crime, does not yet make it possible to produce an accurate and consistent unit cost of crime cleared up for each force. A programme of work, following a joint Home Office/Treasury study of police manpower, is under way to develop standard methods of activity analysis in forces. This should in due course make it possible to attribute time and cost to different activities, including those relating to crime.

Asylum

Mr. Maclennan: To ask the Secretary of State for the Home Department (1) if he will list the total number of people who sought asylum in the United Kingdom in each quarter of 1990;

(2) if he will list the total number of people who sought asylum in the United Kingdom in 1990; and how many *(a)* were awarded refugee status, *(b)* were awarded exceptional leave to remain and *(c)* were refused entry.

Mr. Peter Lloyd: Reliable quarterly estimates of the number of applications for asylum in the United Kingdom in 1990 cannot yet be made, but provisional indications are that the total in 1990 was of the order of 30,000, including associated dependants.

Comprehensive information on decisions in 1990 on asylum applications is not yet available. Decisions recorded to date are shown in the following table, but these understate because of delays in recording.

Decisions[1] on applications[2] for asylum in the United Kingdom made in 1990 as recorded at Mid-February 1991

	Numbers
Granted asylum	1,600
Granted exceptional leave	3,700
Refused asylum or exceptional leave	650

[1] Including associated dependants.
[2] Decisions do not necessarily relate to applications made in 1990.

Fuller and more reliable estimates of applications and decisions in 1990 will be published as usual in the annual Home Office statistical bulletin "Refugee Statistics, United Kingdom" later this year.

Mr. Maclennan: To ask the Secretary of State for the Home Department if he will list for each year since 1985 the number of applicants for asylum in the United Kingdom who have been held in detention for more than one month.

Mr. Peter Lloyd: The information requested is not available centrally and could be obtained only at disproportionate cost. On 15 February, 110 persons who had claimed asylum had been detained under Immigration Act powers for more than one month.

Mr. Maclennan: To ask the Secretary of State for the Home Department if he will make a statement on the conclusions of the Council of Europe ministerial conference on east-west migration in Vienna regarding the asylum question.

Mr. Kenneth Baker: I attended the ministerial conference in Vienna on 24 and 25 January, at which representatives of Council of Europe member states, as well as all the states of central and eastern Europe, Australia, Canada and the United States were present. The conference was not concerned specifically with asylum, but with the problems posed for both receiving countries and countries of origin by the growth of migration from central and eastern Europe. There was general agreement on the need for international co-operation on measures to limit migratory flows, including action in respect of economic migrants who seek to exploit the asylum process and on the importance of tackling the root causes of migration in the countries of origin. A group of senior officials from the participating states was invited to follow up the recommendations of the conference.

A copy of the final communiqué of the conference has been placed in the Library.

Mr. Maclennan: To ask the Secretary of State for the Home Department what consideration he is giving to the establishment of a European appeal court to give a right of appeal against a refusal to grant asylum; and if he will make a statement.

Mr. Peter Lloyd: None. I see no merit in such a proposal.

Mr. Maclennan: To ask the Secretary of State for the Home Department how he distinguishes in policy between measures taken to combat abuse of the asylum procedure and measures taken to regulate the flow of asylum seekers.

Mr. Peter Lloyd: Our policy is to meet our international obligations towards refugees who may properly look to the United Kingdom for protection, while taking firm action to maintain normal immigration control in respect both of those who have already found safety elsewhere and of those whose applications for recognition of refugee status have no basis in the criteria of the 1951 United Nations convention.

National Boundaries

Mr. Maclennan: To ask the Secretary of State for the Home Department if Her Majesty's Government will join the Schengen process.

Mr. Peter Lloyd: We do not intend to accede to the convention on the abolition of checks at common borders which was signed by the Schengen group of countries in June last year.

Mr. Maclennan: To ask the Secretary of State for the Home Department if Her Majesty's Government will press for the adoption of the convention on the crossing of the communities' external frontiers by all member states of the European Community.

Mr. Peter Lloyd: The draft convention on the crossing of external frontiers is still under discussion between the member states and is not yet ready for signature.

Racial Attacks

Mr. Madden: To ask the Secretary of State for the Home Department which police forces in the United Kingdom record racially motivated attacks; if he will arrange for the latest figures for each force to be published, together with the figures for the comparable period of the previous year; and if he will make a statement.

Mr. Peter Lloyd: All police forces in England and Wales record incidents as being racially motivated if the victim, the investigating officer or a third party witness perceive them to be so. Publication of such information is for chief officers. Some include statistics in their annual reports, while others may decide to make such information available in response to a particular inquiry.

Her Majesty's inspectorate of constabulary examines carefully during inspections forces' response to racially motivated crime. The Government are currently monitoring the impact of recent guidance to the police and other agencies, and will be formally reviewing progress with all statutory bodies. The Government have made it clear to the police service that racial attacks must be tackled as a priority.

Tote

Mr. Holt: To ask the Secretary of State for the Home Department who owns the Tote; and if he will make a statement.

Mr. Peter Lloyd: The Horserace Totalisator Board (the Tote), by virtue of section 12(1) of the Betting Gaming and Lotteries Act 1963, is established as a body corporate. It is therefore an independent legal person.

Boundary Commission

Sir John Wheeler: To ask the Secretary of State for the Home Department whether the Boundary Commission for England has decided when to start the next general review of constituencies in England.

Mr. Kenneth Baker: The commission has given notice of its intention to commence a general review forthwith. It is required to report between February 1993 and February 1998.

Prevention of Terrorism (Temporary Provisions) Act 1989

Sir John Wheeler: To ask the Secretary of State for the Home Department whether he has received a report from Viscount Colville of Culross QC on the operation in 1989 of the Prevention of Terrorism (Temporary Provisions) Act 1989.

Mr. Kenneth Baker: I have received such a report from Viscount Colville and have placed copies in the Library.

NATIONAL FINANCE

Savings

Mr. Alton: To ask the Chancellor of the Exchequer if he will list, as a percentage of total household disposable income, net savings in the United Kingdom in each year since 1985.

Mr. Maples: The estimates for the period 1985 to 1989 are as follows:

Balance (household income less expenditure) as percentage of total household disposable income

	Percentage
1985	0·5
1986	−0·4
1987	−1·9
1988	−2·6
1989	−1·8

Community Charge

Mr. Blunkett: To ask the Chancellor of the Exchequer, pursuant to his answer of 28 January to the hon. Member for Sheffield, Brightside, *Official Report*, column *391*, on the community charge reduction scheme, if he will publish in the *Official Report* the assumptions used in reaching the figure given.

Mr. Mellor: The savings on community charge benefit resulting from the introduction of the community charge reduction scheme are a broad estimate based, like all the figures for the scheme, on the family expenditure surveys for 1987-89. Account has also been taken of preliminary information on the numbers of people claiming community charge benefit.

Pensions (Tax Relief)

Mr. David Shaw: To ask the Chancellor of the Exchequer what is the amount of tax relief given in respect of moneys invested by individuals and companies in all types of pensions and pension funds during the last five years.

Mr. Maude: Latest estimates are as follows:

£ million

	Relief for:		
	Employees contributions to occupational pension schemes	*Employers contributions to occupational pension schemes*[1]	*Contributions to personal pensions and retirement annuity contracts*[2]
1986-87	1,700	3,300	475
1987-88	1,700	3,000	525
1988-89	1,800	3,100	625
1989-90	2,000	3,500	950
1990-91	2,200	3,800	1,100

[1] On the basis that under present arrangements, employers' contributions are not taxable as a benefit in kind for the employee.

[2] Includes income tax relief on FSAVCs.

Small Businesses

Mr. David Shaw: To ask the Chancellor of the Exchequer what studies his Department has carried out of the impact of corporation tax on smaller businesses and the survival rate of small companies.

Mr. Maude: The impact of corporation tax on small companies is kept under regular review. The profits limit for the small companies relief has been doubled in the last two years so that 40,000 more companies now pay tax at 25 per cent.—the small companies rate of corporation tax. And we have reduced the small companies rate itself from 42 per cent. to its present level of 25 per cent.

Nursing Agencies

Mr. David Nicholson: To ask the Chancellor of the Exchequer what legislative or administrative changes have been made since 1 January 1989 affecting the liability for VAT of nursing agencies.

Mrs. Gillian Shephard: None. The United Kingdom has always exempted from VAT the supply of services by a person registered or enrolled in any of the medical or paramedical registers. However, under both United Kingdom and EC law this relief does not extend to the services of non-professionally qualified people.

Financial Reporting

Mr. Allen: To ask the Chancellor of the Exchequer what plans he has to improve financial reporting to Parliament and to departmental Select Committees.

Mr. Mellor: The Government set out their proposals for the presentation of financial information in their White Paper "Financial Reporting to Parliament" (Cm 918). These proposals were implemented by the introduction this year of departmental reports. As the White Paper makes clear, the Government will keep the arrangements for the presentation of financial information under review.

Departmental Reports

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the departmental reports published to date and those that are outstanding.

Mr. Mellor: The information is as follows:

Departmental Report		*Published*	
Supplement to the Autumn Statement	(Cm 1520)	Friday	1 February
Department of Social Security	(Cm 1514)	Friday	1 February
Ministry of Defence	(Cm 1501)	Tuesday	5 February
Department of Employment	(Cm 1506)	Tuesday	5 February
Home Office (inc Charity Commission)	(Cm 1509)	Tuesday	5 February
Cabinet Office	(Cm 1519)	Thursday	7 February
Chancellor of the Exchequer's Departments and Net Payments to EC Institutions	(Cm 1518)	Thursday	7 February
Energy	(Cm 1505)	Thursday	7 February
Department of Transport	(Cm 1507)	Thursday	7 February
Department of Health and OPCS	(Cm 1513)	Thursday	7 February
Department of Education and Science	(Cm 1511)	Tuesday	12 February
Trade and Industry	(Cm 1504)	Tuesday	12 February
Ministry of Agriculture, Fisheries and Food, Intervention Board and Forestry Commission	(Cm 1503)	Wednesday	13 February
Environment	(Cm 1508)	Wednesday	13 February
Foreign and Commonwealth Office (including ODA)	(Cm 1502)	Wednesday	13 February
Office of Arts and Libraries	(Cm 1512)	Wednesday	13 February
Legal Departments	(Cm 1510)	Thursday	14 February
Scotland	(Cm 1515)	Thursday	14 February
Wales	(Cm 1516)	Friday	15 February
Northern Ireland	(Cm 1517)	Friday	15 February

There are no departmental reports outstanding.

Mr. Allen: To ask the Chancellor of the Exchequer what response he has had to the new Budget format of departmental reports; and if he will make a statement.

Mr. Mellor: We shall be reviewing all aspects of departmental reports in the light of comments received from departmental Select Committees and others over the coming months.

Mr. Allen: To ask the Chancellor of the Exchequer what requests from Chairmen of departmental Select Committees he has received to discuss the new departmental reports.

Mr. Mellor: This is a matter for the Chairmen of departmental Select Committees.

Real Interest Rate

Mr. Allen: To ask the Chancellor of the Exchequer if he will list in tabular form the real interest rate for each month for the last year; and if he will make a statement on the apparent trend.

Mr. Maples: There is no agreed definition of the real interest rate. The table shows the average three-month inter-bank rate, for each month for the last year, deflated by the 12-month all-items RPI inflation rate for that month. In the three months to end January, the average real interest rate was 4·1 per cent. compared with an average of 7·0 per cent. for the same three months a year earlier.

'Real' three-month inter-bank rate	
	per cent.
1990	
January	6·9
February	7·1

	per cent.
March	6·7
April	5·3
May	5·0
June	4·7
July	4·7
August	4·0
September	3·6
October	2·8
November	3·6
December	4·1
1991	
January	4·6

Alcohol Duties

Sir George Gardiner: To ask the Chancellor of the Exchequer if he will set out the first forecast excise duty revenue for the latest revised estimates for 1989-90 and 1990-91 for *(a)* still wines less than 15 per cent. alcohol, *(b)* still wines more than 15 per cent. alcohol, *(c)* sparkling wines, *(d)* beer, *(e)* cider and perry, *(f)* made wines and *(g)* spirits.

Mrs. Gillian Shephard: The information available is as follows. Forecasts are not made for individual categories of wine.

	1989-90 Outturn £ billion	*1990-91 Autumn Statement £ billion*
Beer	2·1	2·3
Spirits	1·5	1·8
Wine and made wine	0·8	0·9
Cider and perry	0·1	0·1

WALES

Employment Practices

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales (1) which district health authorities in Wales have *(a)* adopted and *(b)* implemented policy statements on child care facilities for staff employed within the districts; how many hospitals in each health authority area offer child care facilities and how many take advantage of such facilities; and whether he has any plans to issue guidelines, including the issuing of targets for child care facilities in the health service;

(2) which district health authorities have produced guidelines or policy statements concerning the application of job-share schemes; how many job-share posts have been *(a)* advertised and *(b)* filled in each district health authority in Wales; and how many of these job-share schemes applied to (i) health visitors, (ii) district nurses, (iii) midwives, (iv) sister nurses and (v) staff nurses.

Mr. Nicholas Bennett: The information requested is not held centrally. Whilst there are no guidelines and targets for child care facilities, health authorities are encouraged, through the annual manpower resource planning process in particular, to consider and develop a range of employment practices. These include child care facilities and job-share schemes. However, the adoption and implementation of such practices is a matter for local employers to decide.

Dental Services

Mr. Barry Jones: To ask the Secretary of State for Wales how many dental check-ups were performed in Wales on *(a)* children *(b)* adults and *(c)* pensioners in each of the health areas in Wales for the years 1986 to 1990; and if he will make a statement.

Mr. Nicholas Bennett: The available information is in the tables.

Table 1 gives the number of examinations, scheduled for payment during the appropriate year, performed within the general dental service.

Table 2 gives the number of inspections performed within the community dental service during the year in question. These figures include inspections conducted as part of screening programmes carried out by the community dental service to indentify patients requiring full examination.

Table 1
General dental services—number of examinations[1]

	1986-87	*1987-88*	*1988-89*	*1989-90*
Children (aged 0-17)				
Clwyd	75,590	76,330	77,620	75,150
Dyfed	61,740	61,740	62,370	61,650
Gwent	89,160	85,340	84,870	83,080
Gwynedd	44,270	42,750	42,590	40,270
Mid Glamorgan	95,170	92,760	92,240	90,320
Powys	18,010	18,190	18,690	18,660
South Glamorgan	97,910	90,850	85,190	81,660
West Glamorgan	91,670	89,150	87,640	84,520
Adults (excluding pensioners)				
Clwyd	121,550	128,780	136,430	126,900
Dyfed	103,920	109,970	116,220	109,450
Gwent	132,950	138,170	148,780	139,710
Gwynedd	75,140	77,550	82,500	76,750
Mid Glamorgan	134,280	142,110	150,070	131,930
Powys	32,180	35,330	37,520	36,720
South Glamorgan	149,380	155,650	161,640	149,480
West Glamorgan	134,920	141,960	146,110	130,640
Pensioners[2]				
Clwyd	17,210	14,740	16,950	15,280
Dyfed	14,110	12,000	13,930	13,190
Gwent	14,270	11,690	14,310	12,970
Gwynedd	13,560	10,960	12,730	11,500
Mid Glamorgan	12,980	10,720	12,910	11,010
Powys	4,430	3,710	4,440	4,310
South Glamorgan	18,930	15,730	18,010	16,550
West Glamorgan	16,270	13,810	16,480	13,780

[1] All figures are rounded to the nearest 10.
[2] Women aged 60 and over. Men aged 65 and over.

Table 2
Community Dental Service: Number of Inspections

	1986-87	*1987-88*	*1988-89*	*1989-90*
Children[1]				
Clwyd	42,709	46,377	30,546	29,011
East Dyfed	38,131	28,365	18,836	16,819
Pembrokeshire	17,254	23,553	23,361	23,858
Gwent	54,623	63,110	51,302	41,204
Gwynedd	17,994	14,772	15,305	17,963
Mid Glamorgan	71,514	63,389	61,571	61,422
Powys	22,081	20,289	17,309	15,617
South Glamorgan	40,343	43,207	45,941	44,531
West Glamorgan	52,512	53,239	54,368	53,010
Adults[2]				
Clwyd	648	810	1,015	661
East Dyfed	363	558	553	722
Pembrokeshire[3]	15	17	27	51
Gwent	1,986	3,389	1,737	1,379

	1986-87	1987-88	1988-89	1989-90
Gwynedd	1,131	1,162	2,035	1,197
Mid Glamorgan	755	672	705	1,311
Powys[3]	28	57	56	130
South Glamorgan	1,425	1,754	1,819	1,551
West Glamorgan	645	1,090	804	1,333

[1] Children under five and school children.
[2] Includes mothers and handicapped adults. No further age split is available.
[3] The figures for Pembrokeshire and Powys exclude handicapped adults on which data have not consistently been collected.

Foreign-based Employers

Mr. Gwilym Jones: To ask the Secretary of State for Wales if he will list in the *Official Report* the 25 largest foreign-based employers, by numbers employed, country of origin, location and date and size of initial investment in Wales.

Mr. David Hunt: The following table lists the 25 largest overseas employers in Wales, together with information on location and the date of the commencement of their operations in Wales. Current employment and capital investment details for individual companies are confidential. In total, however, these companies employ some 30,000 in Wales.

Overseas company	Country of ownership	Location[1]	Commencement date[1234]
Ford Motor Co. Ltd.	USA	Swansea	1965
Matsushita Electrical Industrial Co. Ltd.	Japan	Cardiff	1976
Sony (UK) Ltd.	Japan	Bridgend	1974
Gallaher Ltd.	USA	Cardiff	[2]1968
Hoover plc	USA	Merthyr	1947
British Alcan Aluminium plc	Canada	Newport	pre 1945
CMB Packaging (UK) Ltd.	France/UK joint ownership	Neath	[3]1989
Sharp Electronics (UK) Ltd.	Japan	Wrexham	1985
Valeo SA	France	Ammanford	[2]1989
SGS-Thompson Microelectronics Ltd.	France/Italy joint ownership	Newport	[2]1989
Calsonic International (UK) Ltd.	Japan	Llanelli	[2]1989
Warner-Lambert (UK) Ltd.	USA	Pontypool	1971
Fram Europe Ltd.	Italy	Treforest	[4]1961
STC plc	Canada	Newport	[2]1990
Monsanto plc	USA	Wrexham	pre 1945
Alcoa Manufacturing (GB) Ltd	USA	Swansea	[2]1968
TRW UK Ltd	USA	Neath	1946
Thomson Corp plc	Canada	Cardiff	[2]1959
Bristol-Myers Squibb	USA	Shotton	1982
James River UK Holdings Ltd.	USA	Bridgend	[2]1973
3M UK Holdings plc	USA	Tredegar	1950
Brother Industries Ltd.	Japan	Wrexham	1985
Alfa-Laval Co. Ltd.	Sweden	Cwmbran	1948
Hitachi Ltd.	Japan	Aberdare	[2]1979
Texaco Inc.	USA	Pembroke	1964

[1] A number of overseas companies listed in the table have more than one plant in Wales, in which case the location and date of their first known investment is given.
[2] Some overseas companies became established in Wales by acquisition of then United Kingdom owned assets; these are separately identified by the notation 2, and the date given is the date of change of ownership to overseas.
[3] This was the merger, in 1989 between a United Kingdom company with plants in Wales and a French company.
[4] This is the date of the first investment at Treforest, subsequently the business was transferred to Llantrisant.

Notes:
1. Changes of asset ownership between one foreign company and another foreign company are not identified; and the commencement date is the date of the first known overseas investment.
2. It is possible for an overseas company first established in Wales by direct new investment to have subsequently expanded by means of acquisition of existing assets.
3. The primary data source for the above table is the Welsh Office Regional Data System.

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for 21 February.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

The Gulf

Mr. Wilson: To ask the Prime Minister (1) if he will place in the Library a copy of the translated text on which he based his initial response to the statement issued by the Iraqi Government on 15 February;

(2) when he received an expert translation from the original of the statement put forward by the Iraqi Government on 15 February; and if he will arrange for it to be placed in the Library.

The Prime Minister: We received a copy of the full BBC translation of the Iraqi statement during the early afternoon of 15 February. This proved to be the same in all major respects as the English translation issued later by

the Iraqi Government. Arrangements have been made for a copy of both texts to be placed in the Library of the House.

Norwegian Prime Minister

Mr. Flynn: To ask the Prime Minister what proposals were made by his Norwegian counterpart during their recent meeting; and what response he made.

The Prime Minister: I had discussions with Mrs. Brundtland on 13 February 1991 which covered a range of issues including developments in the Baltics, Europe and the Gulf.

Hypothermia

Mr. Allen: To ask the Prime Minister if he will make a statement on Her Majesty's Government's progress in the last 10 years on achieving a co-ordinated policy for reducing hypothermia.

The Prime Minister: There has been a significant overall decline in the levels of excess winter mortality (the difference between the number of deaths in the quarter from January to March and the quarter from July to September) between 1979 (47,311 deaths) and 1989 (23,853 deaths). In only a very small number of these was hypothermia identified as the underlying cause: 166 in 1989, plus an additional 209 cases where it was a contributory factor.

While there is clearly a correlation between excess mortality and winter weather, the exact causes of increased deaths in winter are extremely complex. Factors include diet, alcohol intake, smoking, clothing (especially dressing appropriately when going out of doors in cold weather) and exercise, as well as adequate warmth in the home. The need for further research in this area is being investigated by the Medical Research Council.

The improved figures in recent years are no doubt due in part to the progress we have been able to achieve through the collaborative efforts of Government, the statutory services and the voluntary sector, in the provision of community health and personal social services, as well as to the more general improvements in housing, social security benefits and overall standards of living.

Arms Register

Mr. Madden: To ask the Prime Minister what is the policy of Her Majesty's Government towards the establishment by the United Nations of a register of arms; and if he will make a statement.

The Prime Minister: We are playing a full part in the United Nations study group set up to look at ways and means of promoting transparency in international transfers of conventional weapons, including the possibility of establishing a universal and non-discriminatory United Nations register. It is hoped that a report will be made to the United Nations Secretary-General later this year.

FOREIGN AND COMMONWEALTH AFFAIRS

Antarctica

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he will be putting forward on the minerals issue at the April meeting of the Antarctic treaty parties.

Mr. Lennox-Boyd: I refer my hon. Friend to the reply given by my hon. Friend the Minister of State to the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 20 February at column *177*.

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs how many representations he has received from hon. Members and members of the public on the issue of Antarctic minerals.

Mr. Lennox-Boyd: We have received over 2,000.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his present policy towards a prohibition on mining in Antarctica.

Mr. Lennox-Boyd: I refer the hon. Member to the reply given by my hon. Friend the Minister of State to him on 20 February 1991 at column *177*.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if it remains Government policy to ratify the convention on the regulation of Antarctic mineral resource activities.

Mr. Lennox-Boyd: There are at present no plans to ratify the convention on the regulation of antarctic mineral resource activities (CRAMRA).

Mr. Mallon: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he will take to prevent any waste disposal in Antarctica.

Mr. Lennox-Boyd: The British Antarctic Survey complies fully with the waste disposal provisions of Antarctic treaty recommendation XV-3.

The long-term policy of the survey is that all wastes, other than human or kitchen waste, should be removed from the Antarctic treaty area. This policy goes further than is required by measures currently under consideration in the Antarctic treaty consultative forum.

Ministerial Meetings

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all future *(a)* conferences, *(b)* seminars and *(c)* meetings which Ministers in his Department have been invited to attend (i) in the United Kingdom, (ii) in the European Community and (iii) elsewhere; and if he will list the dates of these events for the next three months.

Mr. Lennox-Boyd: It is not our normal practice to announce future engagements more than a few days before they are due to take place.

St. Helena

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February, *Official Report*, column *697*, if he will outline the rights of Portuguese fishing vessels in St. Helena's coastal waters.

Mr. Lennox-Boyd: Portuguese vessels do not enjoy automatic fishing and access rights in the waters of St. Helena and the dependencies, but can acquire them by separate and negotiated agreement. The only such agreement in force permits two Portuguese vessels to fish for an experimental period of two years within restricted areas of the waters of St. Helena and Ascension island.

Bulgaria

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs how much financial aid has been provided to Bulgaria to the most recent available date.

Mr. Douglas Hogg: The European Commission, as chairman of the group of 24 donor countries, publishes a regular "scoreboard" of assistance to all eastern European countries, including Bulgaria. The latest edition, issued on 30 January, has been placed in the Library of the House.

The Gulf

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs from whom he obtained the English translation of the statement broadcast by Iraqi Radio on 15 February; if he will place a copy in the Library; if he is aware of any discrepancies in translation of the broadcast; and if he will make a statement.

Mr. Sillars: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the time and date when his office first received from the Government of Iraq their statement of 15 February in both Arabic and English.

Mr. Douglas Hogg: We received a full English text of the Iraqi statement, translated by the BBC monitoring service, during the early afternoon of 15 February. A copy of the Arabic text was received, also from the BBC, later that afternoon. In the late afternoon of 16 February we received an English text issued by the Iraqi Government, which was the same in all major respects as the BBC translation. I am arranging for copies of both texts to be placed in the Library.

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent conditions have been set by the Austrian Government concerning the issuing of permits for the overflight of Austrian territories by British aircraft flying to the Gulf region.

Mr. Douglas Hogg: The details of bilateral arrangements with other countries covering military overflights are classified and it is not our policy to comment on such matters.

Military Exhibition, Baghdad

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if any of his officials attended the first international exhibition for military production held in Baghdad in 1989.

Mr. Douglas Hogg: Members of the British embassy in Baghdad attended the exhibition.

ENERGY

Insulation

Mr. Rost: To ask the Secretary of State for Energy, pursuant to his reply of 30 January, *Official Report*, column *507*, what information he has on the proportion of the 43 per cent. of eligible homes in England and Wales with 4 in. or more of loft insulation which have 150 mm or more of loft insulation, as recommended in his Department's publication entitled "Energy in Your Home".

Mr. Heathcoat-Amory: Information on levels of loft insulation in existing homes is derived from surveys undertaken annually by Audits of Great Britain. Information currently available from these surveys does not enable identification of specific levels of loft insulation in excess of 4 in. in homes in England and Wales.

Electricity Supplies

Mr. Mans: To ask the Secretary of State for Energy what changes have been made as a result of the electricity privatisation legislation concerning the distribution companies' ability to cut off the electricity supply to households during periods of cold weather.

Mr. Heathcoat-Amory: The public electricity supply licences issued to the regional electricity companies under the Electricity Act 1989 require them to produce a code of practice on payment of bills and to draw up methods for dealing with customers in debt. The Director General of Electricity Supply has now approved the code and methods submitted by Yorkshire Electricity and the submissions of the other companies are expected to be approved shortly. Disconnections now stand at their lowest level since records began, and the Director General has stated that one of his priorities is to secure a continuing and significant reduction in disconnections.

Topping Cycle Technology

Mr. Hardy: To ask the Secretary of State for Energy if he will provide support for research and development in relation to the pursuit of topping cycle technology.

Mr. Moynihan: The Government announced at the beginning of February that they would be providing an additional £3·7 million this financial year for research into British Coal's topping cycle project at Grimethorpe. This brings the Department of Energy's total contribution to the project this year to £9·2 million and maintains the project's schedule.

Energy Efficiency

Mr. Alan W. Williams: To ask the Secretary of State for Energy on how many occasions since the publication of the White Paper "This Common Inheritance" the ministerial committee on energy efficiency has met under his chairmanship; and whether he intends to increase the frequency of such meetings.

Mr. Heathcoat-Amory: The ministerial committee meets approximately every two months and has met twice under the chairmanship of my right hon. Friend. Four further meetings are planned this year.

TRADE AND INDUSTRY

Departmental Achievements

Mr. Pawsey: To ask the Secretary of State for Trade and Industry if he will make a statement on the principal achievements of his Department since June 1987.

Mr. Lilley: The Department of Trade and Industry continues to pursue the objective of encouraging enterprise, as set out in the 1988 White Paper "DTI—The Department for Enterprise". Towards this end, a number of notable achievements have been recorded across the whole range of the Department's activities: the enterprise initiative, bringing together a range of DTI services, was successfully launched in January 1988 and continues to stimulate business development and innovation; further privatisations have taken place, notably through the sale of Rolls-Royce plc, Rover Group, British Steel and Girobank; a major campaign has been undertaken to inform businesses about progress on the single market; major legislation, in particular the Companies Act (1989) and the Consumer Protection Act (1987), has been implemented to maintain a satisfactory framework for the operation of businesses and the protection of the consumer while, at the same time, further progress has been made towards removing unnecessary burdens placed on business by regulations and bureaucracy. Innovative activity by smaller firms is being stimulated by a comprehensive package of assistance including the small firms merit award for research and technology (SMART) and three new schemes, support for products under research (SPUR), the manufacturing, planning and implementation studies scheme (MPI), and the small and medium-sized enterprises technical advice service (SMETAS). DTI has also been at the forefront of implementing the Government's "next steps" initiative. Since 1988, nine agencies have been established within DTI involving roughly half the total manpower of the Department.

Graylaw Holdings Ltd.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he has released the inspector's report on Graylaw Holdings Ltd. to any organisation.

Mr. Redwood: It would be inappropriate for me to discuss details of individual unpublished reports. Such reports, which include that into the affairs of Graylaw Holdings Ltd., are disclosed where appropriate under the Companies Act 1948 (as amended), under part XIV of the Companies Act 1985 (as amended), and under the Financial Services Act 1986.

Exports

Mr. Wray: To ask the Secretary of State for Trade and Industry if he will list, for each year since 1985, the *(a)* agricultural and *(b)* the manufacturing goods exported from the United Kingdom to each one of the countries in (i) the Persian Gulf region and (ii) the Maghreb, indicating their value in 1990 moneys.

Mr. Sainsbury: Volume indices of trade by product category are published in the "Monthly Review of External Trade Statistics". A copy is available in the Library. However, estimates at constant prices of exports by product category to individual countries are not kept.

Smoke Detectors

Mr. John Garrett: To ask the Secretary of State for Trade and Industry what recommendations the Radioactive Waste Management Advisory Committee has made on the disposal of smoke detectors containing Americium 240.

Mr. Leigh: The Radioactive Waste Management Advisory Committee has made no recommendation to me about the disposal of smoke detectors containing Americium 241. But the National Radiological Protection Board has assured me that they can be disposed of safely with domestic rubbish.

Mr. John Garrett: To ask the Secretary of State for Trade and Industry what plans he has for requiring the packaging of smoke detectors to indicate that they contain radioactive material.

Mr. Leigh: The proposed Radioactive Products (Safety) Regulations will require approved products to be labelled "approved by the National Radiological Protection Board under the Radioactive Products (Safety) Regulations". It is therefore unnecessary to indicate that a product contains a radioactive substance since the product will bear a label indicating that it has been approved as safe.

Military Exhibition, Baghdad

Mr. Tony Banks: To ask the Secretary of State for Trade and Industry if any of his officials attended the first international exhibition of military production held in Baghdad in 1989.

Mr. Sainsbury: No.

Mr. Tony Banks: To ask the Secretary of State for Trade and Industry how much was spent by his Department on activities arising from the first international exhibition of military production held in Baghdad in 1989.

Mr. Sainsbury: No financial support was given by my Department in respect of this event. Some staff time was involved in providing the non-financial assistance mentioned in my reply on 31 October 1990 to the hon. Member for Coventry, South-East (Mr. Nellist) at column *608*. It is not possible to quantify expenditure on the staff time involved.

Legislation

Mr. Janman: To ask the Secretary of State for Trade and Industry what process is undertaken to ensure that all new Government legislation avoids adding to the costs and reducing the economic viability of British industry.

Mr. Redwood: The White Paper "Releasing Enterprise" (Cm 512, 1988) committed Departments to compile compliance cost assessments (CCAs) for every regulatory proposal that could affect business. A CCA, which is to be drawn up before decisions are taken, seeks to identify the following: the sectors affected and any additional costs (recurring and non-recurring) they will have to bear; the impact on a "typical" business in the sectors principally affected and any differential effect on small firms; and any effect on international competitiveness. To ensure that

estimated costs are as accurate as possible, when business is consulted about regulatory proposals, information about compliance costs is to be requested and current estimates exposed in the form of a draft CCA.

SCOTLAND

NHS Hospitals (Readmissions)

Mr. Wray: To ask the Secretary of State for Scotland if he will make it his policy to collect central information for all national health service patients in Scotland who, having been discharged from national health service hospitals, required subsequent hospitalisation for *(a)* the same complaint or *(b)* a different but related complaint.

Mr. Michael Forsyth: Arrangements are already in train to provide this kind of information through record linkage based on the SMR (Scottish Medical Record) system. When fully in operation this will enable episodes of care to be linked together for the same patient and it will be possible to work out details of subsequent hospitalisation for the same condition and for different but related conditions.

Community Psychiatric Nurses

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give the number of community psychiatric nurses in post at 1 April each year from 1982 to 1 January 1991 for each health board in Scotland.

Mr. Michael Forsyth: The information available centrally for community psychiatric nurses is given in the following table.

Community psychiatric nurses at 31 March 1989-30 September 1990
Whole time equivalent

	March 1989	*September 1989*	*March 1990*	*September 1990*[1]
Argyll and Clyde	—	—	—	1·0
Ayrshire and Arran	22·0	21·0	22·0	25·0
Borders	—	—	—	10·0
Dumfries and Galloway	—	—	14·0	14·0
Fife	—	—	—	—
Forth Valley	—	—	—	—
Grampian	—	—	—	—
Greater Glasgow	—	—	—	0·7
Highland	—	—	—	15·0
Lanarkshire	—	—	—	—
Lothian	6·0	32·0	28·0	30·0
Orkney	—	—	—	—
Shetland	1·0	—	—	2·0
Tayside	—	—	—	—
Western Isles	—	—	—	—
Scotland	29·0	53·0	64·0	97·7

[1] Provisional.

NORTHERN IRELAND

Local Government Finance

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if he will list the regional rate for Northern Ireland in each financial year since 1985.

Dr. Mawhinney: The regional rate for Northern Ireland for each year since 1985 is as follows:

Year	*Regional rate (non-domestic) (pence)*
1985-86	100·87
1986-87	110·38
1987-88	113·53
1988-89	122·59
1989-90	138·07
1990-91	148·27

Domestic ratepayers have received a reduction of 12p in the poundage each year through the domestic rate aid grant. The resulting domestic regional rate poundages were:

Year	*Regional rate (domestic) (pence)*
1985-86	88·87
1986-87	98·38
1987-88	101·53
1988-89	110·59
1989-90	126·07
1990-91	136·27

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if he will list the overall rate payable by ratepayers in each district council area in Northern Ireland for each financial year since 1985.

Dr. Mawhinney: The overall rate payable by ratepayers in each district council area since 1985 is set out in the tables.

(1) Overall Domestic Rates

	1985-86 Rate pence	*1986-87 Rate pence*	*1987-88 Rate pence*	*1988-89 Rate pence*	*1989-90 Rate pence*	*1990-91 Rate pence*
Antrim	130·87	144·13	150·03	161·59	179·07	190·77
Ards	138·87	151·38	154·53	164·59	183·57	201·27
Armagh	123·37	136·38	139·53	151·59	170·07	183·77

	1985-86 Rate pence	1986-87 Rate pence	1987-88 Rate pence	1988-89 Rate pence	1989-90 Rate pence	1990-91 Rate pence
Ballymena	125·22	136·38	141·38	153·44	170·07	183·27
Ballymoney	131·12	143·63	147·53	157·59	176·32	190·27
Banbridge	133·80	146·35	152·51	161·57	177·05	191·15
Belfast	157·91	174·74	181·56	194·55	210·93	224·35
Carrickfergus	143·87	155·88	160·94	173·09	191·82	205·77
Castlereagh	121·87	137·46	142·53	150·49	163·97	180·66
Coleraine	133·87	147·38	151·53	163·59	181·07	191·27
Cookstown	124·72	138·13	144·53	153·34	173·82	188·02
Craigavon	143·80	158·59	164·88	173·94	193·54	207·04
Derry	148·37	165·38	171·03	183·14	202·87	220·27
Down	133·87	151·38	161·53	175·59	194·07	206·27
Dungannon	126·87	139·88	145·53	154·59	170·07	184·02
Fermanagh	131·62	147·13	152·28	164·09	181·57	193·77
Larne	133·87	147·08	154·08	166·34	182·82	200·95
Limavady	123·87	137·38	142·48	154·09	173·07	186·77
Lisburn	135·11	147·18	151·28	164·16	179·64	191·83
Magherafelt	121·91	134·94	142·58	154·09	172·41	185·27
Moyle	148·62	164·13	167·28	176·09	194·47	210·49
Newry and Mourne	137·87	152·68	161·23	170·29	184·07	194·27
Newtownabbey	141·47	153·49	158·77	170·65	190·17	200·96
North Down	140·37	155·28	162·43	174·29	191·92	205·51
Omagh	131·87	145·38	153·18	165·59	184·57	200·57
Strabane	132·37	148·88	155·53	167·59	186·82	203·52

(2) Overall Non-Domestic Rates

	1985-86 Rate pence	1986-87 Rate pence	1987-88 Rate pence	1988-89 Rate pence	1989-90 Rate pence	1990-91 Rate pence
Antrim	142·87	156·13	162·03	173·59	191·07	202·77
Ards	150·87	163·38	166·53	176·59	195·57	213·27
Armagh	135·37	148·38	151·53	163·59	182·07	195·77
Ballymena	137·22	148·38	153·38	165·44	182·07	195·27
Ballymoney	143·12	155·63	159·53	169·59	188·32	202·27
Banbridge	145·80	158·35	164·51	173·57	189·05	203·15
Belfast	169·91	186·74	193·56	206·55	222·03	236·35
Carrickfergus	155·87	167·88	172·94	185·09	203·82	217·77
Castlereagh	133·87	149·46	154·53	162·49	175·97	192·66
Coleraine	145·87	159·38	163·53	175·59	193·07	203·27
Cookstown	136·72	150·13	156·53	165·34	185·82	200·02
Craigavon	155·80	170·59	176·88	185·94	205·54	219·04
Derry	160·37	177·38	183·03	195·14	214·87	232·27
Down	145·87	163·38	173·53	187·59	206·07	218·27
Dungannon	138·87	151·88	157·53	166·59	182·07	196·02
Fermanagh	143·62	159·13	164·28	176·09	193·57	205·77
Larne	145·87	159·63	166·08	178·34	194·82	212·95
Limavady	135·87	149·38	154·48	166·09	185·07	198·77
Lisburn	147·11	159·18	163·28	176·16	191·64	203·83
Magherafelt	133·91	146·94	154·58	166·09	184·41	197·27
Moyle	160·62	176·13	179·28	188·09	206·47	222·49
Newry and Mourne	149·87	164·68	173·23	182·29	196·07	206·27
Newtownabbey	153·47	165·49	170·77	182·65	202·17	212·96
North Down	152·37	167·28	174·43	186·29	203·92	217·51
Omagh	143·87	157·38	165·18	177·59	196·57	212·57
Strabane	144·37	160·88	167·53	179·59	198·82	215·52

Housing

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if he will list the number of new houses built by the Northern Ireland Housing Executive for each year since 1979.

Mr. Needham: This is a matter for the Northern Ireland Housing Executive, but I have been advised by the chief executive that the number of new houses completed by the Housing Executive in each year since 1979 is as follows:

	Number
1979-80	2,952
1980-81	2,701
1981-82	2,342
1982-83	3,628
1983-84	3,874
1984-85	3,384
1985-86	3,160
1986-87	2,222
1987-88	1,805
1988-89	1,653
1989-90	1,577
[1]1990-91	1,151

[1] The figure for 1990-91 is for the period April 1990 to January 1991.

Manufacturing Jobs

Rev. William McCrea: To ask the Secretary of State for Northern Ireland what is the number of manufacturing jobs lost in Mid-Ulster since 1 April 1990.

Mr. Needham: The information available relates to redundancies notified to the Department of Economic Development involving 10 or more employees at any specific workplace. This shows that 77 redundancies have occurred in the manufacturing sector in the Mid-Ulster parliamentary constituency since 1 April 1990.

Animal Transport

Mr. Mallon: To ask the Secretary of State for Northern Ireland what steps he is taking to secure the welfare of livestock in transit *(a)* in Northern Ireland and *(b)* for export outside Northern Ireland.

Mr. Hanley: Present Northern Ireland measures, as updated in 1989 and enforced by the veterinary inspectorate of the Department of Agriculture for Northern Ireland; provide wide protection of the welfare of animals both on internal and international journeys.

The controls conform to the standards of the EC directives on international transport. These will be adjusted as required following the current EC review of welfare of animals in transport.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will give details of the numbers of *(a)* cattle, *(b)* horses, *(c)* sheep, *(d)* chickens and *(e)* other livestock killed in transit each year in Northern Ireland.

Mr. Hanley: The information requested is not held by the Department.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will introduce a measure to require drivers of animal transit vehicles to have basic skills in animal welfare matters.

Mr. Hanley: Current Northern Ireland, Great Britain and EC legislation for the protection of animals in transit places a duty on drivers to exercise care in the loading, unloading, feeding and watering of such animals.

EDUCATION AND SCIENCE

Audit Commission

Mr. Straw: To ask the Secretary of State for Education and Science what role the Audit Commission will have in respect of the auditing of *(a)* grant-maintained schools and *(b)* city technology colleges.

Mr. Kenneth Clarke: Auditing of grant-maintained schools and city technology colleges is the function of external auditors appointed by each school and college. The Audit Commission has successfully tendered to become the external auditors of several grant-maintained schools under the provisions of section 220 of the Education Reform Act 1988.

Geography

Mr. Jack Thompson: To ask the Secretary of State for Education and Science what account he has taken in the preparation of the national curriculum geography draft order of the recommendations of the geography working group and the National Curriculum Council regarding the inclusion of inquiry skills and the possible conflict between geography and environmental education.

Mr. Eggar: The draft order for geography accepts the greater part of the National Curriculum Council's advice. This advice was based on proposals for the geography curriculum published in June last year, which were based on the geography working group's final report. In publishing the draft order my right hon. and learned Friend explained his view that the main emphasis of the attainment targets should be on the assessment of pupils' knowledge and understanding of aspects of geography, and less emphasis should be placed on the assessment of skills which are not particular to geography and the study of people's attitudes and opinions. The draft order confirms the importance of environmental education in geography through the inclusion of a separate attainment target devoted to this subject.

Stratford School

Mr. Tony Banks: To ask the Secretary of State for Education and Science what advice he was given by the governors of Stratford school, Forest Gate, London E7 on the application for grant-maintained status.

Mr. Eggar: A majority of the governing body of Stratford school was opposed to grant-maintained status, and advised rejection of the application.

Mr. Tony Banks: To ask the Secretary of State for Education and Science what the implications are for Newham council educational reorganisation and case for a secondary school in docklands of the decision to allow grant-maintained status to Stratford school, Forest Gate, London E7.

Mr. Eggar: The first phase of Newham education authority's reorganisation was approved by the then Secretary of State in April 1990, some six months before any decision was made about Stratford school. The possible long-term need for a secondary school in the docklands development area was not a factor in the decision to give grant-maintained status to Stratford school. My right hon. and learned Friend will consider any proposal for a new school in docklands on its merits.

Mr. Tony Banks: To ask the Secretary of State for Education and Science how many hon. Members contacted him expressing support for the granting of grant-maintained status for Stratford school, Forest Gate, London E7.

Mr. Eggar: None.

Mr. Tony Banks: To ask the Secretary of State for Education and Science what information he has on the number of pupils at Stratford school, Forest Gate, London E7 *(a)* before grant-maintained status was given and *(b)* at present; and if he will make a statement.

Mr. Eggar: Stratford school had 765 pupils in January 1990. I understand that there were 393 pupils on roll in January 1991. In March 1990 the school published proposals for the acquisition of grant-maintained status. These were approved in October 1990. The school will transfer to grant-maintained status on 1 April 1991.

Mr. Tony Banks: To ask the Secretary of State for Education and Science (1) if he will place in the Library copies of advice and memoranda from Her Majesty's inspectors of schools regarding the application for grant-maintained status in respect of Stratford school, Forest Gate, London E7;

(2) pursuant to his answer of 8 February, *Official Report*, column 257, if the advice from Her Majesty's inspector of schools was in favour of granting grant-maintained status to Stratford school, Forest Gate, London E7; and if he will make a statement.

Mr. Eggar: Advice provided by Her Majesty's inspectors of schools is confidential to Ministers.

Education Resources

Mr. Robert G. Hughes: To ask the Secretary of State for Education and Science what measures he is taking to ensure that more resources are delegated to schools; and if he will make a statement.

Mr. Fallon *[pursuant to his reply, 11 December 1990, c. 324-29]:* We have now received the budget statement prepared by Waltham Forest local education authority under section 42 of the Education Reform Act. The two tables update the figures published in my original reply to include data from Waltham Forest and revised information from Barking and Dagenham local education authority.

1990-91 budgets: percentage of potential schools budget delegated to schools

Local education authority[3]	*Percentage of PSB*[1] *delegated to schools*	*Discretionary*[2] *exceptions as percentage of PSB*	*Central administration as percentage of PSB*
1. Bolton	89·10	10·90	2·02
2. Berkshire	87·68	12·32	2·71
3. West Sussex	87·49	12·51	1·95
4. Sefton	87·44	12·56	4·45
5. Barking	87·01	12·99	3·34
6. Sunderland	86·86	13·14	3·10
7. Gloucestershire	86·78	13·22	3·65
8. Northumberland	86·54	13·46	3·10
9. Rotherham	86·13	13·87	3·74
10. Leeds	86·12	13·88	3·87
11. Bradford	86·04	13·96	3·87
12. Hampshire	85·78	14·22	3·34
13. Rochdale	85·74	14·26	2·55
14. Walsall	85·72	14·28	3·37
15. Suffolk	85·66	14·34	2·75
16. Surrey	85·57	14·43	6·17
17. Doncaster	85·45	14·55	2·29
18. Solihull	85·31	14·69	2·49
19. Warwickshire	85·24	14·76	3·90
20. Lincolnshire	85·13	14·87	2·68
21. Liverpool	84·91	15·09	4·07
22. Buckinghamshire	84·88	15·12	4·58
23. Kent	84·87	15·13	3·79
24. Northamptonshire	84·74	15·26	3·69
25. Staffordshire	84·61	15·39	4·51
26. Shropshire	84·60	15·40	2·48
27. Tameside	84·40	15·60	2·47
28. Trafford	84·38	15·62	3·49
29. Salford	84·37	15·63	3·19
30. Barnet	84·36	15·64	5·07
31. Cheshire	84·31	15·69	5·15
32. East Sussex	84·09	15·91	2·42
33. Essex	84·03	15·97	4·11
34. Bedfordshire	84·02	15·98	3·91
35. Dudley	83·98	16·02	3·62
36. Havering	83·87	16·13	2·28
37. South Tyneside	83·76	16·24	4·20
38. Brent	83·63	16·37	4·82
39. Cleveland	83·63	16·37	5·56
40. Norfolk	83·62	16·38	4·05
41. Cornwall	83·57	16·43	3·72
42. Sutton	83·44	16·56	4·05
43. Barnsley	83·38	16·62	2·86
44. Kirklees	83·38	16·62	3·98
45. Derbyshire	83·37	16·63	2·96
46. Gateshead	83·29	16·71	3·01
47. Wigan	83·28	16·72	3·70
48. St. Helens	83·27	16·73	3·69
49. Sandwell	83·24	16·76	3·75
50. Durham	83·13	16·87	4·35
51. Devon	83·11	16·89	3·06
52. Birmingham	83·04	16·96	4·36
53. Somerset	82·91	17·09	3·58
54. Wakefield	82·87	17·13	2·98
55. Nottinghamshire	82·72	17·28	5·24
56. Redbridge	82·71	17·29	4·91
57. Lancashire	82·66	17·34	3·65
58. North Yorkshire	82·62	17·38	4·15

Local education authority[3]	Percentage of PSB[1] delegated to schools	Discretionary[2] exceptions as percentage of PSB	Central administration as percentage of PSB
59. Sheffield	82·61	17·39	3·49
60. Cumbria	82·53	17·47	4·04
61. Isle of Wight	82·48	17·52	4·68
62. Wiltshire	82·35	17·65	3·92
63. North Tyneside	82·30	17·70	5·03
64. Avon	82·30	17·70	3·40
65. Bury	81·92	18·08	4·70
66. Knowsley	81·91	18·09	5·07
67. Calderdale	81·86	18·14	4·84
68. Dorset	81·85	18·15	4·71
69. Wolverhampton	81·77	18·23	5·26
70. Humberside	81·71	18·29	3·57
71. Ealing	81·66	18·34	6·33
72. Oldham	81·64	18·36	4·98
73. Hounslow	81·59	18·41	5·19
74. Harrow	81·52	18·48	5·76
75. Enfield	81·50	18·50	5·56
76. Oxfordshire	81·37	18·63	5·46
77. Bexley	81·33	18·67	4·61
78. Coventry	80·93	19·07	6·00
79. Cambridgeshire	80·75	19·25	4·82
80. Bromley	80·70	19·30	4·49
81. Richmond	79·98	20·02	6·91
82. Merton	79·79	20·21	7·86
83. Newcastle	79·75	20·25	6·12
84. Waltham Forest	79·65	20·35	7·02
85. Haringey	79·36	20·64	6·04
86. Kingston	78·46	21·54	7·09
87. Westminster	77·97	22·03	8·20
Average	83·76	16·24	5·26

[1] PSB = General Schools Budget minus mandatory exceptions, school meals, home to school transport and transitional exceptions.
[2] Column 2 is the percentage of the PSB *not* delegated to schools, for example 100 per cent. minus the percentage in Column 1.
[3] All 87 LEAs which introduced LMS in April 1990 were required to publish budget statements for 1990-91 under Section 42 of ERA.

1990-91 budgets:
Percentage of the aggregated schools budget[1] allocated on the basis of pupil numbers and ages

LEA[2]	Percentage
1. Redbridge	89·30
2. Lincolnshire	87·25
3. South Tyneside	86·93
4. Barking	86·73
5. Bolton	85·73
6. Dudley	85·72
7. Tameside	85·57
8. North Yorkshire	85·51
9. Northumberland	85·49
10. Bromley	84·99
11. Oldham	84·77
12. Bexley	84·40
13. Gateshead	84·36
14. Wigan	84·35
15. Westminster	84·20
16. Staffordshire	84·00
17. Harrow	83·83
18. Kent	83·72
19. Coventry	83·52
20. Sefton	83·33
21. Trafford	83·28
22. Gloucestershire	83·22
23. Barnsley	82·80
24. Devon	82·64
25. Suffolk	82·57
26. Cambridgeshire	82·34
27. Avon	82·30
28. Solihull	82·29
29. Northamptonshire	82·19
30. Calderdale	82·17
31. West Sussex	82·13
32. Waltham Forest	81·99
33. Humberside	81·97
34. Rotherham	81·79
35. Salford	81·69
36. Isle of Wight	81·62
37. Bury	81·45
38. Cleveland	81·43
39. Hounslow	81·42
40. Wiltshire	81·00
41. Cornwall	80·93
42. Sunderland	80·69
43. Newcastle	80·66
44. Ealing	80·62
45. Durham	80·40
46. Sutton	80·29
47. Somerset	79·99
48. Warwickshire	79·89
49. Buckinghamshire	79·73
50. Berkshire	79·68
51. Enfield	79·21
52. Dorset	79·03
53. Leeds	78·90
54. Birmingham	78·63
55. Bradford	78·51
56. Merton	78·36
57. Haringey	78·25
58. Walsall	78·19
59. Kirklees	78·17
60. North Tyneside	78·00
61. Shropshire	77·91
62. Brent	77·81
63. Cheshire	77·78
64. East Sussex	77·41
65. Richmond	77·26
66. Sheffield	77·19
67. Essex	77·05
68. Bedfordshire	77·00
69. Kingston	76·84
70. Hampshire	76·63
71. Derbyshire	76·04
72. Norfolk	75·99
73. Cumbria	75·62

LEA[2]	Percentage
74. Oxfordshire	75·61
75. Doncaster	75·38
76. Havering	75·36
77. Wakefield	75·29
78. Barnet	75·19
79. Liverpool	75·00
80. Rochdale	75·00
81. St. Helens	75·00
82. Knowsley	75·00
83. Wolverhampton	75·00
84. Sandwell	74·94
85. Surrey	74·91

[1] ASB = Aggregated Schools Budget: the amount planned to be allocated through the EMS formula.

[2] The budget statements produced by Lancashire and Nottinghamshire LEAs did not contain the relevant information.

HOUSE OF COMMONS

The Gulf

Mr. Madden: To ask the Lord President of the Council, pursuant to his remarks in the House on 14 February, *Official Report*, column 1002, who, on behalf of Her Majesty's Government, has made representations to the broadcasting authorities concerning coverage of the Gulf war; and if he will make a statement.

Mr. MacGregor: No formal representations have been made.

HEALTH

Funding, Leeds

Dr. Hampson: To ask the Secretary of State for Health how much expenditure has been allocated to Leeds from regional and central funding in each year since 1979.

Mr. Dorrell: The information derivable from annual accounts submitted to the Department is shown in the table.

Leeds health authorities—total expenditure on hospital and community health services (HCHS)

Year	Revenue expenditure £000 (Cash)	Capital expenditure £000 (Cash)
1979-80	86,377	7,735
1980-81	111,821	11,339
1981-82	123,904	14,297
1982-83	131,728	13,862
1983-84	141,456	13,135
1984-85	150,450	9,694
1985-86	160,481	9,919
1986-87	172,071	7,903
1987-88	191,063	8,618
1988-89	213,367	12,305
1989-90	232,187	13,761

Source:

Annual accounts of the Leeds Western and Eastern health authorities (Leeds area health authority for the years prior to 1982-83) and those of the Yorkshire regional health authority.

Notes:

1. HCHS covers all services directly managed by the health authorities concerned including hospital, community health and other services. Expenditure on family practitioner services (now family health services) is not strictly attributable to districts and is excluded. However, the figures for the years prior to 1985-86 include small elements relating to the administrative expenses of the former Leeds family practitioner committee which were included in relevant annual accounts but are not separately identifiable.
2. The figures for capital expenditure include amounts in respect of schemes within Leeds districts but recorded in the annual accounts of the Yorkshire regional health authority. All other expenditure incurred by the latter authority for the Leeds area or the Yorkshire region as a whole is excluded. Expenditure met on a national basis by other NHS organisations or by the Department is similarly excluded.
3. Figures for capital expenditure at regional and sub-regional levels tend to fluctuate year on year mainly reflecting changes in the pattern of capital investment throughout the country.

Myodil

Mr. Vaz: To ask the Secretary of State for Health if he will make a further statement on the Government's response to the side effects of the drug Myodil.

Mrs. Virginia Bottomley: I refer the hon. Member to the replies I gave to the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) on 13 December 1990 at columns *466-69*.

Breast and Cervical Cancer

Mr. Vaz: To ask the Secretary of State for Health what is the average waiting time for results from cervical smear tests by region and district; and if he will make a statement.

Mrs. Virginia Bottomley: This information is not available in the form requested. Health authorities are asked to ensure that laboratories return results of smear tests to the smear-taker within one month. A survey of laboratory backlogs and workload carried out in the second half of 1990 indicated that around two thirds of laboratories were meeting that target in July 1990. In those areas where backlogs existed the average processing time was 7·5 weeks.

Mr. Vaz: To ask the Secretary of State for Health how many cervical smear tests have been carried out on women for each year since 1980 *(a)* per region and *(b)* per district; and if he will state by (i) district and (ii) region how many are still to be dealt with.

Mrs. Virginia Bottomley: Information on the number of cervical smear tests carried out on women for each year from 1980 to 1989 is given in the table by region. The 1988-89 figure is for 193 out of the 200 laboratories which submitted a return in that year. The information is collected from laboratories. It is not possible or relevant to produce it by district. Smears taken from women in a particular region are sometimes analysed by laboratories in other regions.

Information on the number of smears outstanding was collected for the 1988-89 year, but the quality and completeness of the data were such that no useful figures can be produced.

Improvements are being set in hand to improve the quality of this new data collection system.

Cervical Cytology
Smears examined by Regional Health Authority

Thousands *England*

Regional Health Authority	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987-88*	*1988-89*
Northern	152	158	154	172	186	226	224	270	300
Yorkshire	199	211	204	224	242	271	266	299	305
Trent	275	288	281	297	320	359	343	393	403
East Anglia	101	104	104	121	130	145	144	159	185
North West Thames	263	261	244	260	264	302	297	317	375
North East Thames	221	230	254	275	277	316	308	325	326
South East Thames	223	225	218	233	246	282	284	317	326
South West Thames	187	193	182	195	208	231	229	248	267
Wessex	155	160	160	170	182	208	211	233	233
Oxford	137	137	133	151	164	195	195	222	238
South Western	154	161	157	173	102	214	219	247	247
West Midlands	291	292	289	310	342	395	403	465	507
Mersey	90	93	91	104	118	138	154	203	212
North Western	333	328	322	347	370	399	416	389	392
Special Health Authority	—	—	—	[illegible]	—	—	—	—	11
England	2,789	2,850	2,809	3,048	3,245	3,696	3,709	4,099	4,326

Notes:
These figures relate to smears analysed by laboratories in each region.
Smears taken from women in one region are in some cases analysed in laboratories in other regions.
Figures for 1988-89 are for those 193 laboratories which submitted a return.

Sir David Price: To ask the Secretary of State for Health what progress has been made by the national screening programme for breast and cervical cancer towards achieving its objectives; and if he will make a statement.

Mrs. Virginia Bottomley: This is the first country in the EC to have a nationwide call and recall scheme for both breast and cervical cancer screening.

Breast Screening Programme
Between 1987 and 1990 £55 million was allocated in England to set up and run the nationwide breast screening programme. Women aged between 50 and 64 will be invited every three years for mammographic screening. Specialised screening centres are now operating over most of the country and all eligible women throughout England should have been invited for screening by 1993. Figures for those centres operational for the whole of 1988-89 indicate that around 70 per cent. of women receiving invitations are accepting them. A report issued in January 1991 by the Advisory Committee on Breast Cancer Screening supported the current programme and concluded that it could reduce mortality in the eligible age group by around a quarter by the year 2000.

Cervical Screening Programme
Computerised call and recall systems were implemented in all district health authorities by April 1988. Women aged between 20 and 64 should have been invited for screening by 1993 and will be recalled at least every five years. Health authorities must ensure that all abnormal smears are followed up and facilities for investigation and treatment are available.
In the first six months since the introduction of the GP's contract 54 per cent. of GPs received payment for 80 per cent. coverage of women screened and 35 per cent. for 50 per cent. coverage.
The NHS has set up the national co-ordinating network for the cervical screening programme which supports managers and others responsible at local level. £95,000 has been awarded to the network for each financial year 1990-91 and 1992-93.

Abortion

Mrs. Ann Winterton: To ask the Secretary of State for Health when he intends to bring forward the necessary measures to implement the conscience clause of the Human Fertilisation and Embryology Act 1990.

Mrs. Virginia Bottomley: I announced on 14 February that a commencement order will be laid which will enable the Human Fertilisation and Embryology Authority to assume its full powers on 1 August 1991. The commencement order will bring section 38 (conscientious objection) of the Act into force at the same time.

Mrs. Ann Winterton: To ask the Secretary of State for Health if he will make a statement giving details of the proposed timetable for the implementation of the different sections of the Human Fertilisation and Embryology Act 1990.

Mrs. Virginia Bottomley: A commencement order and regulations relating to the termination of pregnancy (section 37 of the Human Fertilisation and Embryology Act) will be laid shortly. A commencement order and regulations necessary to enable the Human Fertilisation and Embryology Authority to function fully from 1 August 1991 will be brought forward later this year. The implementation of secton 30 of the Act (to facilitate parental orders where a surrogate mother is involved) depends on certain sections of the Children Act 1989 which are expected to come into force in the autumn of this year.

Mrs. Ann Winterton: To ask the Secretary of State for Health (1) when he will respond to the 10th report of Session 1989-90 of the Social Services Committee on the working of the conscience clause of the Abortion Act—House of Commons Paper No. 123;

(2) what action he has taken to ensure that candidates for medical school are no longer asked their views on abortion.

Mrs. Virginia Bottomley: We are carefully considering the Committee's report and will be publishing our response shortly.

Food Hygiene

Mr. Andrew Mitchell: To ask the Secretary of State for Health whether he proposes making any changes to the Food Hygiene (Amendment) Regulations 1990 which introduce new temperature controls from 1 April.

Mr. Dorrell: New controls on the temperature of foods during production, storage, distribution and service to the consumer were announced on 18 July 1990 and regulations specifying relevant foods and control temperatures come into force in stages from 1 April.

The requirements are introduced to help minimise the opportunity for growth of pathogenic micro-organisms such as listeria and salmonella. For many food businesses the regulations represent the first statutory requirement to maintain temperature control. The controls are additional to the general provisions contained in the Food Safety Act on the safety of food for the consumer.

I am concerned that requirements are not introduced which unnecessarily alter working practices where there is no overriding food safety reason for doing so. I am also concerned that the regulations should be practical to implement.

Together with the Ministry of Agriculture, Fisheries and Foods and the Welsh Office I have considered representations made on the way in which the regulations apply to certain foods. I believe that in certain areas it is reasonable for changes to be made to the regulations which would not present a public health risk.

Officials will therefore be consulting interested parties on further changes to the regulations and a copy of the consultation document will be placed in the Library. When the consultation is complete, further amending regulations will be laid before Parliament.

The main changes proposed are:

to allow a two hour period immediately after baking before certain bakery products need to begin to be chilled. Any micro-organisms present after baking would take at least two hours before starting to multiply to levels which could give rise to health concerns. I am satisfied that this relaxation would make a significant difference to the investment required by industry and is consistent with the food safety objectives of the temperature control regulations;

to allow certain uncut baked egg pastry products, such as custard tarts and Yorkshire curd tarts, to remain outside temperature controls if to be sold on the day of their production. I am satisfied that this exemption would allow craft bakers to continue their traditional practice whilst still safeguarding public health;

to allow an exemption of four hours outside temperature controls for foods displayed on premises such as railway buffet cars, mobile catering facilities, or marquees provided that no more food than necessary is displayed. This exemption extends to these facilities the exemption already available to catering premises;

to extend the deadline for compliance with the temperature controls, which operate from 1 April 1991, to 1 April 1992 for some airline catering where compliance can only be achieved by refrigeration of highly specialised delivery vehicles;

to exempt foods delivered by mail order through the post or by courier to allow industry more time to develop practical means of achieving necessary controls. Research studies have been commissioned by Government to identify ways of maintaining product stability in this area and further discussion with industry on practical solutions will be needed. This exemption will be kept under review and we shall be examining urgently ways of providing consumers with information on these products.

Other detailed points are contained in the consultation document. Comments on these changes are being sought from consumer interests, industry, and enforcement agencies. I understand that my colleagues at the Scottish Office will also now be conducting a consultation on parallel draft Scottish regulations.

The temperature controls are an important new measure in seeking to improve food safety and I shall continue to keep their operation and effectiveness under review to ensure they achieve the intended objectives while being practical. I am conscious that there will be an important period of education and learning for all concerned in the early stages of the new controls. Enforcement agencies will clearly want to bear in mind the proposed changes when considering advice and action to enforce the Food Hygiene (Amendment) Regulations 1990.

Blood Products

Mr. Gale: To ask the Secretary of State for Health (1) what steps are being taken to ensure that products of the blood products laboratory meet the conditions laid down under the Medicines Act and enforced by the Medicines Control Agency;

(2) what proposals his Department has to import unlicensed plasma products from unlicensed overseas sources.

Mr. Dorrell: The bioproducts laboratory is not at present covered by the licensing requirements of the Medicines Act because of Crown immunity. However, some of its products are so licensed and it will be seeking licences for other products under the arrangements leading to the removal of Crown immunity. For many years the BPL has been inspected by the medicines inspectorate and its products have been tested by the National Institute of Biological Standards and Control, as are similar licensed pharmaceutical products.

The Department has no plans to import plasma products.

Brook and Greenwich Hospitals

Mr. Cartwright: To ask the Secretary of State for Health what information he has received about the number of operations cancelled at the Brook and Greenwich district hospitals during 1989-90; and if he will make a statement.

Mr. Dorrell: We do not collect information about the number of operations cancelled. We collect information about operating theatre sessions held and cancelled in each district health authority. This information is not broken down by hospital.

Fostering

Mr. Cohen: To ask the Secretary of State for Health (1) how many responses he has received to paragraph 16 of his draft guidance notes on gay and lesbian fostering; how many were *(a)* in favour and *(b)* critical of the proposals; and if he will list those in each case from organisations;

(2) what plans he has to review his guidance notes on gay and lesbian fostering, paragraph 16, following representations he has received.

Mrs. Virginia Bottomley: The responses received on the foster placement consultation document are now being considered. We plan to issue guidance that the interests of children are paramount.

I shall write to the hon. Member about the general responses, letters and pre-printed postcards.

Diploma in Social Work

Mr. Hinchliffe: To ask the Secretary of State for Health how many dipiomas in social work courses he expects to have been approved by October 1991.

Mrs. Virginia Bottomley: Approval of courses is a matter for the Central Council for Education and Training in Social Work (CCETSW). The council's current targets for full approval are a total of 19 by 31 March 1991 and 59 by 31 March 1992. Planning figures for March to October 1991 are not available.

Mr. Hinchliffe: To ask the Secretary of State for Health what is the maximum number of diplomas in social work courses that he expects to be approved.

Mrs. Virginia Bottomley: Approval of diploma in social work courses is a matter for the Central Council for Education and Training in Social Work (CCETSW). The council has no plans at present for a maximum number of courses but expects a total of 109 throughout the United Kingdom by 1993-94.

Mr. Hinchliffe: To ask the Secretary of State for Health how many diplomas in social work courses he expects to be approved in the Central Council for Education and Training in Social Work northern region.

Mrs. Virginia Bottomley: The Central Council for Education and Training in Social Work has set a target of 20 courses providing 1,700 student places by the end of 1993-94.

Mr. Hinchliffe: To ask the Secretary of State for Health if he is seeking a regional balance of diploma in social work courses.

Mrs. Virginia Bottomley: Approval of diploma in social work courses is a matter for the Central Council for Education and Training in Social Work (CCETSW). The council is seeking to ensure that there is a reasonable distribution of courses throughout the United Kingdom, and within each region of the United Kingdom, reflecting service needs.

Social Services Departments (Women Managers)

Mr. Hinchliffe: To ask the Secretary of State for Health how many women there are in senior management positions in local authority social services departments.

Mrs. Virginia Bottomley: The information requested is not routinely collected centrally. However a recently published report of the social services inspectorate entitled: "Women in Social Services, a neglected resource" identified the following distribution of women senior managers in local authorities in England and Wales:

Senior Managers in Social Services Departments in England and Wales 1990

	Directors		*Deputies*		*Assistant/Divisional Directors or equivalent*		*Totals*		*Percentages*	
	M	F	M	F	M	F	M	F	M	F
English Counties	38	1	30	3	185	36	253	40	86	14
English Metropolitan Districts	31	5	24	2	111	26	166	33	83	17
London Boroughs	25	7	12	2	79	34	116	43	73	27
Welsh Authorities	7	1	6	1	29	5	42	7	86	14
Totals	101	14	72	8	404	101	577	123		
Percentages	88	12	90	10	80	20	82	18		

Note: Not all posts are included because of vacancies.

Women make up 86·5 per cent. of the local authority personal social services work force and 12 per cent. of senior management.

Miscarriage Association

Mr. Hinchliffe: To ask the Secretary of State for Health if he will now announce the core grant for central administrative costs to the Miscarriage Association for the next three years.

Mrs. Virginia Bottomley: Recipients of awards made under section 64 of the Health Services and Public Health Act 1968 will be informed about their grants shortly.

Female Circumcision

Mrs. Roe: To ask the Secretary of State for Health if he will obtain a videocassette and transcript of the BBC 2 "Forty Minutes" television programme on female circumcision to be shown on 21 February for his departmental library.

Mrs. Virginia Bottomley: Yes. The Department is already aware of the proposed broadcast and will obtain a copy.

DEFENCE

Night Flying

Sir Eldon Griffiths: To ask the Secretary of State for Defence what are the comparative noise levels at take-off and requirement to conduct flying exercises at night as between F15 and F111 aircraft operated by the USAF from Lakenheath.

Mr. Archie Hamilton: The F15Es to be introduced at RAF Lakenheath are expected to operate to the same night flying restrictions which apply to the F111F aircraft presently stationed at the base, with an increase of around 12 sorties a month currently planned. Noise levels generated by F111F and F15E aircraft are very similar. It is our practice to review existing compensation

arrangements when aircraft deployments change, and this will apply at RAF Lakenheath once the F15E aircraft are in place.

The Gulf

Sir Eldon Griffiths: To ask the Secretary of State for Defence if he will make a statement on the adequacy of supply of sunglasses to troops serving in Operation Desert Storm.

Mr. Archie Hamilton: To date some 49,000 pairs of sunglasses have been dispatched to the Gulf. This is an adequate supply to provide one pair of sunglasses to each of the troops serving there.

Mr. Sillars: To ask the Secretary of State for Defence whether a soldier aged 17 years and three months and eligible to serve with the British Army in the Gulf can be required to take part in military action.

Mr. Archie Hamilton: Yes.

Mr. Madden: To ask the Secretary of State for Defence how many people in the reserve forces have refused to serve in the Gulf; and if he will make a statement.

Mr. Archie Hamilton *[holding answer 14 February 1991]:* Of those reservists issued with compulsory call-out notices 33 made successful appeals for exemption on the basis of difficult personal circumstances or conscientious objection. A small number of reservists have failed to report for duty without apparent good reason. A decision on what action should be taken in respect of these non-reporters has yet to be made.

Mr. Madden: To ask the Secretary of State for Defence (1) how many *(a)* British service personnel and *(b)* service personnel from each of the coalition forces have been killed or injured in the Gulf since 17 January to date; and if he will make a statement;

(2) what are his estimates of dead and injured Iraqi military in Iraq and Kuwait since 17 January to date; and if he will make a statement.

Mr. Archie Hamilton: Her Majesty's Government are not in a position to provide overall estimates of the number of allied or Iraqi military personnel killed or injured so far during hostilities. The United Kingdom has no personnel confirmed as killed or injured as a direct result of hostilities.

Mrs. Dunwoody: To ask the Secretary of State for Defence if he will list the major producers of small arms ammunition which have been given contracts to replace the munitions being used by British forces in the Gulf.

Mr. Alan Clark: The question of replacing small arms ammunition used in the Gulf has not yet arisen.

Mr. Madden: To ask the Secretary of State for Defence how many people in the reserve forces, who volunteered to serve in the Gulf, were refused; and if he will make a statement.

Mr. Archie Hamilton *[holding answer 14 February]:* No Royal Navy or Royal Air Force reservists who volunteered for service in the Gulf were rejected. Of the 1,124 Army reservists who volunteered, 206 were rejected for various reasons.

Call-out procedures have proved satisfactory and the requirement has been met largely on a voluntary basis.

RAF Honington

Sir Eldon Griffiths: To ask the Secretary of State for Defence what plans he has for the future of RAF Honington.

Mr. Archie Hamilton: As part of our studies following the statement on "Options for Change" by my right hon. Friend the Secretary of State on 25 July 1990 at col. 470, we are considering the future of a number of RAF stations in the United Kingdom, including Honington, but no decisions have yet been taken.

Defence Quality Assurance

Mr. Fisher: To ask the Secretary of State for Defence whether he has determined a date for the relocation of the directorate general of defence quality assurance.

Mr. Kenneth Carlisle: It was proposed to move some 1,600 posts of the directorate general, defence quality assurance to Stockton-on-Tees between 1993 and 1995. This project is now being reassessed and I will make an announcement in due course.

Military Exhibition, Baghdad

Mr. Tony Banks: To ask the Secretary of State for Defence if any of his officials attended the first international exhibition for military production held in Baghdad in 1989.

Mr. Alan Clark: No.

Military Personnel

Mr. George: To ask the Secretary of State for Defence how many military personnel have so far been returned to the United Kingdom for medical treatment since the commencement of Operation Granby; and if he will broadly classify the cases according to treatment, and identify the regional health authorities involved.

Mr. Archie Hamilton: A total of 467 service personnel have been returned to the United Kingdom from the Gulf for medical reasons since the commencement of the deployment. Those involved have suffered varying degrees of accidental injury or have illnesses which could be best treated in the United Kingdom.

One case has been referred to the NHS—South Western regional health authority.

HMY Britannia

Mr. Cryer: To ask the Secretary of State for Defence what is the daily cost of running HMY Britannia; and how much is to be charged per day for any commercial usage.

Mr. Archie Hamilton: The daily cost of running HMY Britannia in 1990-91 is about £25,400, including an allowance for servicing work undertaken during the year. Catering and other additional expenses incurred are charged for her use on commercial activities in support of British industry.

Mr. Cryer: To ask the Secretary of State for Defence if he will make a statement on proposals to convert HMY Britannia for hospital use in the Gulf war.

Mr. Archie Hamilton: I refer the hon. Gentleman to the answer I gave on 4 February to my hon. Friend the Member for Welwyn Hatfield (Mr. Evans) at column *69*.

Nuclear Warships

Mr. Cohen: To ask the Secretary of State for Defence on how many occasions he has declined to follow the advice of the nuclear-powered warship safety committee in every particular.

Mr. Archie Hamilton: I can confirm that it is the MOD's policy to act in accordance with the independent expert advice of the nuclear-powered warships safety committee on the construction, operation and maintenance of our nuclear submarines.

Lundy Island

Miss Emma Nicholson: To ask the Secretary of State for Defence what consideration he has given to the nature conservation status of Lundy island and to the preservation of its rare coral when designating an area close by for bomb disposal.

Mr. Archie Hamilton: I refer my hon. Friend to the answer I gave to the hon. Member for Newport, West (Mr. Flynn) on 15 February at column *621*. B52 aircrews have been instructed to avoid Lundy island if an exceptional emergency requires them to jettison bombs in the danger area off Hartland point.

Miss Emma Nicholson: To ask the Secretary of State for Defence what consideration he has given to the protection of small fishing vessels and their crews when designating the area off Lundy island and Hartland point for bomb disposal at sea.

Mr. Archie Hamilton: I refer my hon. Friend to the answer I gave to the hon. Member for Newport, West on 15 February at column *621*.

Miss Emma Nicholson: To ask the Secretary of State for Defence whether he will consider a site 40 miles south of Lundy island for B52 bomb disposal at sea in preference to the Lundy island area.

Mr. Archie Hamilton: No.

EMPLOYMENT

Departmental Annual Report

Mr. Leighton: To ask the Secretary of State for Employment (1) what significant changes have been introduced in terms of content and presentation in his first annual report—Cm 1506—when set against the 1990 public expenditure White Paper; what steps were taken to draw it to the attention of the media and other possible interested parties; and if he will make a statement;

(2) whether his Department has any plans to develop its annual report further.

Mr. Jackson: The report shows the wide range of opportunities offered by my Department for training, enterprise, education and special help for the unemployed and the way it is promoting a fairer and safer workplace. Each part of the Employment Department group now has a separate section in the report describing its expenditure on programmes and services which reflects broadly the order in which the estimate for 1991-92 will be presented. This enables an easier read across to estimates than the 1990 public expenditure White Paper presentation by departmental objectives. The report introduces more detail on running costs, more detail on the impact of Europe and an account of departmental responsibilities regarding the environment. The use of colour and charts helps present the information to the general public.

Notice of the publication of my report was given a week beforehand in a written question on 29 January 1991 at col. *466*. A press notice was released on the day of publication and copies of the report were placed in the Libraries of the Houses. Copies were also sent to the hon. Members for Sedgefield (Mr. Blair), for Derby, South (Mrs. Beckett) and for Berwick-upon-Tweed (Mr. Beith), and to members of the Employment, Treasury and Civil Service Committees as interested parties.

I intend to continue presenting details of my Department's plans in as helpful a way as possible.

Parliamentary Constituencies

Mr. Simon Coombs: To ask the Secretary of State for Employment if he will list, in ranking order, the 30 parliamentary constituencies with the most economically active people.

Mr. Jackson: The only regular source of data on the economically active population is the labour force survey. This is a sample survey of about 60,000 households in Great Britain. Because of the size of the sample, estimates can be made only down to regional level.

Public Expenditure

Mr. Leighton: To ask the Secretary of State for Employment if he will provide a table comparing the plans agreed in the 1989 and 1990 public expenditure surveys on the same price base and using the gross domestic product deflator assumptions given, respectively, in 1990 and 1991 public expenditure White Papers; and if he will make a statement.

Mr. Jackson: The information requested is given in the following table. The plans for 1991-92 onwards in the 1991 departmental report are not directly comparable to the plans for 1991-92 onwards in the 1990 public expenditure White Paper chiefly because they exclude the amounts transferred to the Scottish programme, mainly for Scottish Enterprise and Highlands and Islands Enterprise, which will be responsible for delivering the main training and enterprise programmes in Scotland with effect from 1991-92.

Running Costs

Mr. Leighton: To ask the Secretary of State for Employment if he will place in the Library a copy of his Department's three-year plans for running costs.

Mr. Jackson: My departmental report includes information on running costs over the three forward years and on the efficiency and effectiveness with which these resources are used. More detailed information is published for the employment service in the "Annual Performance Agreement and Operational Plan" and for the Health and

Safety Executive in the "Health and Safety Commission's Plan of Work". Other management documents are for internal use within the Employment Department group.

Employment Training

Ms. Primarolo: To ask the Secretary of State for Employment if he will make a statement on the effect on those in employment training in Avon of the closures of schemes, under the reduction in the employment training budget, for Avon for 1991-92 over 1990-91.

Mr. Jackson: All employment training trainees affected by scheme closures will be reviewed individually and an alternative ET place or other appropriate outcome will be offered to them.

Hazardous Substances

Mr. Simon Hughes: To ask the Secretary of State for Employment if he will list the companies prosecuted between 1 October 1989 and 30 September 1990 under the Control of Substances Hazardous to Health Regulations; and if he will give details of the alleged offences which led to the prosecutions.

Mr. Forth: Provisional details of the companies prosecuted under the Control of Substances Hazardous to Health Regulations between 1 October 1989 and 30 September 1990 are given in the following list:

Informations Laid under the Control of Substances Hazardous to Health Regulations by HSE's Factory and Agricultural Inspectorates, 1 October 1989 to 30 September 1990 (provisional).

Name of Company	*No. of Informations*	*Regulation*
Fairey Arlon Ltd, Hounslow	1	7 (1)
SI Industries, Croydon	1	6
Messrs. Sandberg, London	5	All 7 (1)
Wolverhampton MBC Works Dept.	3	6, 7, 12
BPC Ltd, Northfield	1	6
Delta Crompton Cables Ltd, Swansea	2	7, 12
Glynwed Consumer and Building Products Ltd, Telford	[1]3	7, 12, 12
S&D Castings Ltd, Chesterfield	2	Both Reg 12
AWT Painters Ltd, Leigh	1	7
Parkcrest Foundry Ltd, Ashton-Under-Lyne	2	Both Reg 9
Brimset Ltd, Rotherham	1	7 (1)
Electrical Motor Service Centres Ltd, Chester-Le-Street	3	6, 7, 12
Advance Sectional Buildings (Cleveland) Ltd, Hartlepool	1	6
Stonewest Cox, Newcastle	1	7 (1)
James Howden Ltd, Renfrew	2	6, 7

[1] One information on Regulation 12 withdrawn

Note:

Prosecution under the above specific regulations concern the following requirements:
Regulation 6:—undertaking on assessment
Regulation 7:—preventing or adequately controlling exposure
Regulation 9:—Maintaining control measures
Regulation 12:—Providing sufficient information instruction and training.

The data do not include details of cases under the Health and Safety at Work etc. Act 1974 taken solely where employers have failed to comply with enforcement notices concerned with the COSHH regulations.

Labour Statistics

Mr. Blair: To ask the Secretary of State for Employment if he will list the seasonal factors involved in the adjustment of the unemployment and jobcentre vacancy figures for January announced on 14 February, in each case citing the factor concerned and the number of those affected by it so as to account for its part in the difference between the adjusted and unadjusted total.

Mr. Howard: The seasonal factors applied to the United Kingdom unemployment and jobcentre vacancy figures for January 1991 are as follows:

	Factor	*Change in factor on previous month*
Unemployment	−68,600	+63,300
Vacancies	+28,400	−12,500

Note: These factors are provisional and subject to revision, mainly in the following month.

The seasonal influences on the unemployment and vacancy figures follow a broadly similar pattern year to year, with January having the most unfavourable influences of any month. The precise reasons for this are not known. It is likely that both the unemployment and vacancy figures in January are affected by the fact that *(a)* many firms close over Christmas and new year and so temporarily cease recruiting; *(b)* the majority of seasonal employment recruitment for the Christmas and the new year period will have come to an end by January; *(c)* the weather inhibits employment and recruitment in, for example, the construction and tourism-related industries. For these reasons, unemployment in January is usually well above the average for the year (and therefore has a negative factor applied to the headline total to get the seasonally adjusted figure), just as in June unemployment is usually below average. With vacancies the reverse is the case.

Further details of the process of seasonal adjustment used on the monthly unemployment figures can be found on page 604 of the December 1990 issue of *Employment Gazette*. A similar process is used for vacancy figures.

AGRICULTURE, FISHERIES AND FOOD

Feedstuffs

14. **Mr. Wray:** To ask the Minister of Agriculture, Fisheries and Food what are the expenditure implications of the EC directive on the official control of feedstuffs.

Mr. Maclean: An extra £30 million a year has been added to the revenue support grant from 1991-92 to meet the costs falling to local authorities in Great Britain as a result of new food legislation.

Bovine Spongiform Encephalopathy

15. **Mr. Alan W. Williams:** To ask the Minister of Agriculture, Fisheries and Food whether the Government will set up a national network of incinerators to destroy the carcases of BSE-infected cattle.

Mr. Maclean: Over 80 per cent. of the carcases are already dealt with in Britain's existing network of incinerators and more will come on stream later this year.

I hope the hon. Member does not want to override local planning laws with a socialist alternative to NIMBY (not in my back yard)—LSIMBIMBY (Labour says it must be in my back yard).

Organophosphorous Sheep Dips

16. **Mr. Patchett:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the use of organophosphorous sheep dips.

Mr. Maclean: I refer the hon. Member to the reply given to the hon. Member for Barnsley, West and Penistone (Mr. McKay) earlier today.

Clone Breeding

17. **Mr. Cohen:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about clone breeding of various species.

Mr. Maclean: We are aware of the basic research which is being carried out at home and abroad and are closely monitoring developments on the cloning of animals.

The Department will ensure that the same high standards of welfare will apply to all farm animals, regardless of their origin.

Horses and Ponies

18. **Sir Michael McNair-Wilson:** To ask the Minister of Agriculture, Fisheries and Food whether he has been able to negotiate improved treatment for the export of horses and ponies to the EC after 1992.

Mr. Gummer: Negotiations are still at an early stage on the proposals for a Council regulation on the protection of animals during transport. We will press strongly for retention of measures which will prevent the export of horses and ponies for slaughter.

British Food

Mr. Pawsey: To ask the Minister of Agriculture, Fisheries and Food what measures are being taken to promote sales of British food.

Mr. Curry: I refer my hon. Friend to the answer which I gave earlier today to my hon. Friend the Member for York (Mr. Gregory).

Mr. Jacques Arnold: To ask the Minister for Agriculture, Fisheries and Food if he will make a statement on Britain's exports of food products.

Mr. Curry: In the 12 months to November 1990, United Kingdom exports of food and drink amounted to £6 billion. This figure represents about 6 per cent. of the total value of our visible exports, and is an 8 per cent. improvement over the previous 12-month period.

Animal Transport

Mr. Conway: To ask the Minister of Agriculture, Fisheries and Food what progress has been made towards an EC directive on the transport of food animals.

Mr. Gummer: There have been two meetings of officials from member states to discuss the Commission's proposal for a new regulation on protection of animals during transport. As the discussions proceed we will be pressing for high welfare standards which will be properly enforced throughout the Community.

Turtles

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what expertise resides in his Department on hawksbill turtles and green turtles.

Mr. Maclean: Turtles are protected under United Kingdom, EC and international provisions, the primary responsibility and expertise for which rests with my right hon. Friend the Secretary of State for the Environment.

Agricultural Reform

23. **Mr. Robert Hicks:** To ask the Minister of Agriculture, Fisheries and Food when he next intends meeting the EC Commissioner for Agriculture to discuss his farm proposals; and if he will make a statement.

Mr. Gummer: At the Agriculture Council on 4 and 5 March.

Animal Welfare

24. **Mr. Ian Bruce:** To ask the Minister of Agriculture, Fisheries and Food which organisations he consults on animal welfare.

Mr. Maclean: The Department consults a wide range of organisations on animal welfare matters.

Lamb and Sheepmeat

25. **Mr. Speller:** To ask the Minister of Agriculture, Fisheries and Food when he estimates that there will be full free trade in lamb and sheepmeat between the United Kingdom, France and the remaining EC countries.

Mr. Curry: Free trade within the EC and the establishment of a support system capable of allowing United Kingdom producers to compete on equal terms were key aims of the Government in the review of the sheepmeat regime in 1989. These remain the Government's aims during the transitional period before the reformed sheep regime becomes fully operational by the end of the 1992 marketing year at the latest.

Unfit Carcases

26. **Mr. Ron Brown:** To ask the Minister of Agriculture, Fisheries and Food how many carcases were condemned as unfit for human consumption during 1990; and if he will make a statement.

Mr. Maclean: Inspection of meat intended for human consumption is the responsibility of local authorities. My Department does not at present collect information from them on the number of condemnations of carcases.

Slaughter Industry

Mr. Cummings: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the state of the United Kingdom slaughtering industry.

Mr. Gummer: The slaughtering sector faces major changes with the advent of the single market. I am pleased to note that the leading companies are gearing up to the challenges and opportunities it offers.

Hill Livestock Compensatory Allowances

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on payment of hill livestock compensatory allowances.

Mr. Curry: I refer the hon. Member to the reply given to my hon. Friend the Member for Devon, North (Mr. Speller) on 11 February.

Farm Bankruptcies

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about farm bankruptcies.

Mr. Curry: There were 142 bankruptcies in agriculture and horticulture in 1989. In the first half of 1990 there were 136, but agriculture's share of the total has remained broadly in line with the rest of the economy over the last decade.

Mink Farms

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food on how many occasions for each of the last five years his officials or state veterinary service officials have attended mink farms for the purpose of inspecting slaughter; and which slaughter methods were, on each occasion, observed.

Mr. Maclean: I refer the hon. Member to the reply I gave on 13 December 1990 at column *474*. The additional information now requested could be obtained only at disproportionate cost.

Salmonella

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what conclusion he has drawn from the statistics produced by the public health authority on the reduction in salmonella enteritidis infection in layer flocks and the increase in salmonella enteritidis isolations in humans.

Mr. Maclean: The reported incidence of salmonella enteritidis, the main target of the Government's control measures, fell by 38 per cent. in laying birds producing eggs for human consumption between 1989 and 1990. While it is too soon to draw firm conclusions, indications are that the comprehensive package of measures introduced by this Department may be having a significant effect on the number of egg laying flocks infected with salmonella enteritidis.

The figures on the number of salmonella enteritidis isolations in humans indicate that there is a continuing public health problem. A number of factors might be involved in the increase in the number of cases between 1989 and 1990. It would therefore be inappropriate to compare directly the human and animal data. This was stressed when the latest PHLS/SVS Update on salmonella infection was published last month.

Food Safety

Mrs. Ray Michie: To ask the Minister of Agriculture, Fisheries and Food if he will indicate when he expects to publish the findings of the research in connection with the Food Hygiene (Amendment) Regulations 1990 at Torry.

Mr. Maclean: I expect to publish the results when the research has been completed.

Food Marketing

Mr. Simon Coombs: To ask the Minister of Agriculture, Fisheries and Food how many counties in England now have their own food marketing and promotion organisations.

Mr. Curry: Comprehensive information is not available, but we know that there are county-based speciality food groups in 18 English counties.

Nitrates

Mrs. Dunwoody: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the implementation of the nitrate-sensitive areas scheme.

Mr. Curry: The pilot-nitrate sensitive areas scheme opened in June 1990 and applications last year covered over 50 per cent. of the eligible agricultural land. Additional applications are expected before the scheme finally closes on 31 May this year. Equipment to take water samples in the soil zone has been installed and deep core sampling is also being undertaken.

Marginal Land

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what is the Government's policy towards the use of marginal land.

Mr. Curry: The Government support farming on marginal land through designation as less-favoured areas under EC directive 75/268 which gives access to hill livestock compensatory allowance payments and enhanced rates of capital grant.

Riparian Zones

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what is the Government's policy towards the management of riparian zones and the surrounding farming community.

Mr. Curry: There is evidence that riparian zones can be managed in ways which help to reduce nutrient leaching in surface water catchments and encourage species diversity. The possibilities for encouraging such management will be considered when existing schemes are reviewed and new ones introduced.

Smoked Salmon

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will set out in the *Official Report* the exact nature of the research brief given to the research station at Torry regarding the growth of pathogenic organisms in smoked salmon; and if he will make a statement indicating when he expects the research project to be concluded.

Mr. Maclean: The work involves measuring the time and temperature profiles of foods in the mail system, the physical, chemical and microbiological status of mail order foods, their capacity to support the growth of food pathogens and how best the mail order trade can adapt to the new regulations. The preliminary results are expected shortly.

CAP

Mr. Riddick: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about current negotiations within the EEC to reform the common agricultural policy.

Mr. Gummer: The Commission is expected to present price proposals, including proposals for changes to the common agricultural policy, to the Agriculture Council on 4 and 5 March.

Farming Incomes

Mr. Cran: To ask the Minister of Agriculture, Fisheries and Food what is the latest estimate of farming incomes.

Mr. Curry: Total income from farming is forecast to be £2,113 million in 1990.

Deer

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many deer of each species were culled in 1990 in each conservancy; whether they were taken by Forestry Commission employees or others; what arrangements were made for the disposal of carcases or trophies; and what was the income to each conservancy as as result of such sales and fees.

Mr. Michael Forsyth: I have been asked to reply.

The statistics requested are given in the following tables. These cover the year to 31 March 1990, the latest period for which figures are at present available. The income from trophy fees is not recorded separately from the income from permit charges and lettings and could be obtained only at disproportionate cost.

Deer carcases are sold by the Forestry Commission to licensed game dealers. Individual stalking contracts stipulate whether trophies belong to the Forestry Commission or may be retained by the permit stalker.

Conservancy	Number of deer culled: By commission staff	By others	Income from venison (£)
Sika Deer			
North England	19	—	1,224
East England	26	—	933
West England	17	16	1,901
Wales	—	—	—
North Scotland	297	106	16,778
Mid Scotland	293	132	14,231
South Scotland	67	—	3,003
Fallow Deer			
North England	2	—	120
East England	1,193	69	66,679
West England	533	7	28,670
Wales	85	9	3,501
North Scotland	—	—	—
Mid Scotland	38	13	1,709
South Scotland	40	—	2,669
Muntjac			
East England	311	31	3,096
West England	14	—	120
Roe Deer			
North England	1,327	376	57,464
East England	473	137	15,863
West England	133	31	6,344
Wales	12	—	157
North Scotland	2,182	697	100,930
Mid Scotland	2,097	773	83,053
South Scotland	2,390	593	104,883
Red Deer			
North England	50	6	6,594
East England	2	—	214
West England	54	7	5,982
Wales	—	—	—
North Scotland	1,973	280	204,234
Mid Scotland	2,500	909	274,386
South Scotland	534	19	55,483

SOCIAL SECURITY

Income Support

Ms. Short: To ask the Secretary of State for Social Security for each region and for Great Britain as a whole how many income support and unemployment benefit claimants have (i) successfully and (ii) unsuccessfully claimed income support under the hardship rules in each month since August 1990, showing those whose claim was in doubt due to *(a)* actively seeking work and *(b)* availability for work.

Mr. Jack: Most unemployed people are required to be available for and actively seeking work as a condition of receiving benefit. A payment to avoid hardship will be automatically considered by the adjudication officer where someone fails to fulfil this condition, resulting in the loss of benefit.

The statistics kept are given in the table. The remainder of the information is not available and could be obtained only at disproportionate cost.

Income support MR255	*September 1990*	*October 1990*	*November 1990*	*December 1990*
London South Region				
Hardship claims under Regulation 8(3), availability				
Number of awards made	21	15	7	4
Number of awards refused	2	9	1	2
Hardship claims under Regulation 10A(2), ASW				
Number of awards made	1	6	0	1
Number of awards refused	1	5	0	9
London North Region				
Hardship claims under Regulation 8(3), availability				
Number of awards made	33	34	33	16
Number of awards refused	9	7	4	1

Income support MR255	*September 1990*	*October 1990*	*November 1990*	*December 1990*
Hardship claims under Regulation 10A(2), ASW				
Number of awards made	14	11	6	4
Number of awards refused	10	1	0	3
Midlands Region				
Hardship claims under Regulation 8(3), availability				
Number of awards made	10	24	7	5
Number of awards refused	6	9	5	1
Hardship claims under Regulation 10A(2), ASW				
Number of awards made	2	9	0	1
Number of awards refused	1	3	3	1
Wales and South Western Region				
Hardship claims under Regulation 8(3), availability				
Number of awards made	29	21	20	15
Number of awards refused	16	16	21	5
Hardship claims under Regulation 10A(2), ASW				
Number of awards made	9	5	4	2
Number of awards refused	4	1	0	1
North Eastern Region				
Hardship claims under Regulation 8(3), availability				
Number of awards made	10	11	20	8
Number of awards refused	17	11	9	3
Hardship claims under Regulation 10A (2), ASW				
Number of awards made	2	9	8	6
Number of awards refused	1	10	3	0
North Western Region				
Hardship claims under Regulation 8(3), availability				
Number of awards made	37	19	48	12
Number of awards refused	56	61	40	37
Hardship claims under Regulation 10(A) (2), ASW				
Number of awards made	4	7	11	13
Number of awards refused	5	5	17	1
Scotland				
Hardship claims under Regulation 8(3), availability				
Number of awards made	16	8	14	8
Number of awards refused	7	10	16	7
Hardship claims under Regulation 10A (2), ASW				
Number of claims made	1	10	21	11
Number of claims refused	2	4	5	0
National				
Hardship claims under Regulation 8(3), availability				
Number of awards made	156	132	149	68
Number of awards refused	113	123	96	56
Hardship claims under Regulation 10A (2) ASW				
Number of awards made	33	51	50	39
Number of awards refused	24	29	28	15

Staffing Levels

Mr. Meacher: To ask the Secretary of State for Social Security what consideration is being given to improving staffing levels in the local office network.

Miss Widdecombe: The Department allocates staffing resources to local offices using a system designed to match resources to requirements. The staffing levels are based on the latest estimate of workload forecasts and are kept under review.

Local Offices (Industrial Action)

Mr. Meacher: To ask the Secretary of State for Social Security if he will outline his Department's policy on checking benefit payments during the recent industrial action in a number of local benefit offices.

Miss Widdecombe: During the recent industrial action in a number of local benefit offices, the Department's policy was to continue to operate benefit checks normally as far as possible. Of the offices involved in the industrial action all continued to carry out security benefit payment checks in the usual way. The local benefit offices at Camberwell, Bloomsbury, Port Talbot, Wallasey, Stockton, Redcar, Hull (East) and Ilford did abandon checks on quality of work, but maintained all security checks on benefit payments.

Mr. Meacher: To ask the Secretary of State for Social Security whether any checks of benefit payments were abandoned in local offices where officers normally responsible for checking procedures were on strike during the recent industrial action.

Miss Widdecombe: Security checks on benefit payments were not abandoned in any of the local benefit offices affected by the recent industrial action, and were carried out in the normal way. Some checks on quality of work were abandoned in the local benefit offices at Camberwell, Bloomsbury, Port Talbot, Wallasey, Stockton, Redcar, Hull (East) and Ilford.

Mr. Meacher: To ask the Secretary of State for Social Security if he will quantify the amount of money lost through overpayments of benefit as a result of the recent industrial action in a number of social security offices.

Miss Widdecombe: The information is not available.

Disability Working Allowance

Mr. Battle: To ask the Secretary of State for Social Security, pursuant to his reply to the hon. Member for Exeter (Mr. Hannam) *Official Report*, 1 February, column 672, how many people claiming disability working allowance it is estimated will earn below the national insurance lower earnings limit.

Mr. Scott: Estimates for the disability working allowance (DWA) have necessarily been based to a significant extent on assumptions about behavioural changes among disabled people who are not currently in work. As a result, any projections of the earnings of recipients can be only tentative. We estimate, however, that up to 5,000 DWA recipients at any one time may have earnings below the national insurance lower earnings limit.

Pension Upratings

Mr. Allen: To ask the Secretary of State for Social Security what is the value of the pension upratings to be introduced in April 1991; and what would be the value of the pension upratings needed in April 1991 in order to bring pensions up to the same level as if pensions had been increased from their 1979 level each year in line with the rise in average earnings or the retail prices index whichever was the higher.

Miss Widdecombe: In April the basic retirement pension will rise by £5·10 for a single person and by £8·15 for a married couple. To bring the same pension up to the level that would have been paid had it been uprated by the higher of earnings or prices would require an extra £12·80 and £20·50 respectively, on top of the actual increases. The extra cost of such a measure would be in excess of £5·7 billion per annum and would cost an additional £7·90 in national insurance contributions for an employee on average earnings and his employer.

Care Homes

Mr. Allen: To ask the Secretary of State for Social Security what assistance is available from his Department to those whose income support level is inadequate to meet the costs charged by the residential or nursing homes for the care which is required.

Miss Widdecombe: The income support limits for various categories of residential and nursing home care represent the maximum amounts available. Any additional assistance—for example, that provided by relatives or charitable organisations—is, however, disregarded in the calculation of income support entitlement. Local authorities have powers to place people in private residential care homes and meet their fees in full, recouping from the resident an assessed amount towards the charge.

Pensioners (Income)

Mr. Allen: To ask the Secretary of State for Social Security if he will list the percentages of, and the percentage increase in real terms between 1979 and the latest year for which figures are available in pensioner income from *(a)* benefits, *(b)* occupational pensions, *(c)* savings and *(d)* earnings.

Miss Widdecombe: The information requested is in the table.

Types of Pensioners' Income	*Percentage of Gross Incomes*		*Real Terms increase Per cent*
	1979	*1987*	*1979-87*
Total Social Security Benefits	61	53	17
Occupational Pensions	16	21	77
Savings Income	11	19	130
Earnings	12	7	−20
Total Income	100	100	31

Sources: Family Expenditure Survey 1987.

Mr. Allen: To ask the Secretary of State for Social Security if he will list by quintile the percentage change in pensioner net income from 1979 to date using standard prices.

Miss Widdecombe: The information is in the table.

Changes in real income for each pensioner net income quintile

Quintile	*Increase (per cent.) 1979-87*
Bottom	19·0
Second	23·5
Third	24·0
Fourth	26·5
Top	43·8

Source: Family expenditure survey.

Mr. Allen: To ask the Secretary of State for Social Security what percentage of pensioner units receive income from state benefits to the value of *(a)* 100 per cent. of income, *(b)* 75 per cent. of income or more and *(c)* 50 per cent. of income or more.

Miss Widdecombe: In 1987 the percentage of pensioner units receiving income from state benefits to the value of *(a)* 100 per cent. of income was about 16 per cent.; *(b)* 75 per cent. of income or more—about 54 per cent. and *(c)* 50 per cent. of income or more—about 75 per cent.

Invalidity Benefit

Mr. Allen: To ask the Secretary of State for Social Security if he will list the research *(a)* currently under way and *(b)* planned into the reasons for increasing numbers of invalidity benefit recipients, giving the title of the research, its authors, its cost and its completion date in each case.

Mr. Scott: No such research is being undertaken by or on behalf of the Department. A large survey of invalidity benefit recipients is planned to start later this year and the detail of this study has yet to be agreed. It is anticipated, however, that much of the work will be undertaken by in-house researchers and the study is likely to take about two years to complete.

Cold Weather Payments

Mr. Allen: To ask the Secretary of State for Social Security what special assistance is offered to those elderly people who need an immediate cold weather payment in order to pay for fuels which require immediate cash payments.

Mr. Scott: Where there is entitlement to cold weather payment, the Department's offices can and do make immediate payments to the elderly who require assistance to pay for fuels. Payments may be made at the office in cases where it is essential to do so.

Staff are encouraged to adopt a sympathetic approach in their dealings with the elderly, and often provide assistance in helping the eligible customer to complete the application form.

In cases where a request is received for an amount above the £6 award, a specially trained social fund officer may decide that an application for an interest-free crisis loan, on top of the cold weather payment, should be invited. Such an award is discretionary and would be considered if the officer identified a serious risk to the health or safety of the customer.

Mr. Meacher: To ask the Secretary of State for Social Security what was the average weekly temperature in each weather station area used for cold weather payments for each week since 3 February; and how much was claimed in cold weather payments in each of these weeks.

Mr. Scott: Details of average weekly temperatures in weather station areas used for cold weather payments since 3 February are held in the Library. Details of the total amounts claimed are not yet available.

Mr. Meacher: To ask the Secretary of State for Social Security if he will specify the precise days to which the Prime Minister's announcement of 7 February, *Official Report*, column 408, waiving the seven consecutive day temperature requirement for cold weather payments, refers and the days to which the Prime Minister's statement made on 12 February, *Official Report*, column 728 applies.

Mr. Scott: My right hon. Friend the Prime Minister's announcements of 7 and 12 February, concerning the seven-day qualifying period for cold weather payments, refer to the periods 1-7 February and 8-14 February respectively.

Mr. Allen: To ask the Secretary of State for Social Security (1) what discussions his Department has had with the electricity companies with a view to enabling those who could receive cold weather payments to use such payments at the time of need by electricity payment cards; (2) if he will give consideration to the possibility of putting cold weather payment vouchers in pension or benefit books to enable such payments to be turned on by the Government when necessary.

Mr. Scott: We have no plans to make changes to the methods of payment of cold weather payments this winter, but as I announced in the House on 11 February, we will be reviewing the scheme in time for next winter, including the operational arrangements.

Retirement Pensions

Mr. Meacher: To ask the Secretary of State for Social Security what was the value of the basic state retirement pension for *(a)* a single pensioner and *(b)* a married pensioner couple at 1979 and at each uprating since 1979, including that proposed for April 1991; what it would have been if it had been uprated in line with average earnings at each of these upratings; and what was the total cumulative loss as a result of not uprating in line with earnings at each uprating (i) at current prices and (ii) at 1991 prices.

Miss Widdecombe: The information requested in part (i) of the question is in the table. We are unable to give the figures at 1991 prices as the RPI figure for April is not yet available.

Uprating date	*Period used to determine rate*	*Single Person*			*Married Couple*		
		Actual rate	*Hypothetical rate*	*Difference*	*Actual rate*	*Hypothetical rate*	*Difference*
November 1978	—	19·50	—	—	31·20	—	—
November 1979	November 1978—November 1979	23·30	23·20	−0·10	37·30	37·15	−0·15
November 1980	November 1979—November 1980	27·15	27·35	0·20	43·45	43·80	0·35
November 1981	November 1980—November 1981	29·60	30·65	1·05	47·35	49·05	1·70
November 1982	November 1981—November 1982	32·85	33·20	0·35	52·55	53·10	0·55
November 1983	May 1982—May 1983	34·05	36·10	2·05	54·50	57·75	1·25
November 1984	May 1983—May 1984	35·80	37·95	2·15	57·30	60·70	3·40
November 1985	May 1984—May 1985	38·30	41·30	3·00	61·30	66·05	4·75
June 1986	May 1985—January 1986	38·70	43·60	4·90	61·95	69·75	7·80
April 1987	January 1986—September 1986	39·50	45·50	6·00	63·25	72·80	9·55
April 1988	September 1986—September 1987	41·15	49·10	7·95	65·90	78·55	12·65
April 1989	September 1987—September 1988	43·60	53·30	9·70	69·80	85·30	15·50
April 1990	September 1988—September 1989	46·90	58·45	11·55	75·10	93·55	18·45
April 1991	September 1989—September 1990	52·00	64·80	12·80	83·25	103·75	20·50

Notes:

1. Hypothetical rate is uprated from November 1979 using prices or earnings whichever is the greater in each year.
2. Figures quoted are £s per week.

Disabled People (Employment Quotas)

Mr. Allen: To ask the Secretary of State for Social Security what quotas apply to his Department for the employment of disabled people arising from the Disabled Persons (Employment) Act 1944 and other legislation; and if he will make a statement.

Mr. Scott: In common with other Crown employers, quotas do not apply to this Department. However, the Department is aiming to meet the 3 per cent. quota.

Benefits Take-up

Mr. Allen: To ask the Secretary of State for Social Security if he will list in ascending order the percentage take-up of each benefit administered by his Department.

Mr. Jack: The latest available information on take-up is contained in the technical notes on take-up of benefits, copies of which are available in the Library.

Agency Business Plans

Mr. Allen: To ask the Secretary of State for Social Security if he will list the dates for each social security-related agency to publish its business plan.

Miss Widdecombe: We intend to publish business plans for 1991-92 for each of the Department's agencies by the end of April.

Benefit Schemes

Mr. Allen: To ask the Secretary of State for Social Security what proportion of the cost of *(a)* housing benefit schemes and *(b)* community charge benefit schemes is met by (i) cash-limited grant from central Government and (ii) other sources by category; and what are the trends in these proportions.

Miss Widdecombe: Most of the benefit costs of the two schemes are currently met through direct subsidy (which is not cash limited) at a rate of 97 per cent. The balance is taken into account in local government finance settlements. In addition there are a number of lower rates of direct subsidy, ranging from nil to 50 per cent. in certain "incentive" areas where authorities have most scope to control costs. Sums reflecting unavoidable expenditure in these areas are also taken into account in local government finance settlements.

The main change since the 1988 social security reforms has been the introduction of the housing revenue account arrangements in England and Wales in April 1990; under these, most rent rebate expenditure is taken into account at 100 per cent. when calculating subsidy, with expenditure in the "incentive" areas subsidised through a cash-limit specified sum. The basic rate of subsidy for expenditure outside these arrangements will change from 97 to 95 per cent. next April; again, this change has been taken into account in local government finance settlements.

The Department also subsidises 50 per cent. of local authorities' estimated administrative needs through a cash-limited specific grant; the remaining 50 per cent. is taken into account in local government finance settlements. The proportion met by direct subsidy was 60 per cent. between April 1988 and March 1990; there are no present plans for further changes, although all subsidy matters are kept under review.

Hostels

Mr. Allen: To ask the Secretary of State for Social Security if he will list the 22 hostels run by his Department via the Resettlement Agency for single homeless people and the projected date in the case of each hostel for its transfer to local authorities and voluntary bodies.

Miss Widdecombe: The Resettlement Agency is responsible for the following 22 resettlement units:

Alvaston, Derby;
Bishopbriggs, Glasgow;
Bridgehouse, London;
Brighton, East Sussex;
Camden, London;
Cedars Lodge, London;
Fazakerley, Liverpool;
Lancelot Andrews House, London;
Leeds, West Yorkshire;
Leicester, Leicestershire;
Newbury, Berkshire;
Plawsworth, Co. Durham;
Pound Lodge, London;
Sittingbourne, Kent;
Southampton, Hampshire;
Spur House, London;
Stormy Down, Mid-Glamorgan;
Walkden, Manchester;
West End House, London;
West Midlands, Worcester;
Winterbourne, Bristol;
Woodhouse, Sheffield.

The Resettlement Agency's main aim is to establish sufficient replacement provision in the local authority and voluntary sectors to enable its resettlement units to be closed.

The Brighton resettlement unit is to close by the end of March 1991 and the running of the Fazakerley unit will be transferred to Knowsley metropolitan borough council from April 1991.

The replacement of a further four of the agency's units is to be announced shortly, but no firm dates have yet been established for closure of the remaining units.

Care Costs

Mr. Allen: To ask the Secretary of State for Social Security what is the average cost of providing *(a)* residential and *(b)* nursing home care; and what is the average payment made to those on income support in each category.

Miss Widdecombe: The Department does not collect data on the average cost of providing residential or nursing home care. Last year we commissioned Price Waterhouse to undertake a survey into costs; some figures are available in its report, a copy of which is available in the Library.

For information about average payments made to those on income support I refer the hon. Member to my reply to him on 5 February at column *133-34*.

Mr. Allen: To ask the Secretary of State for Social Security what is the average percentage of total costs of *(a)* residential and *(b)* nursing home care met by his Department for those who are on income support.

Miss Widdecombe: The information requested is not available and could be obtained only at disproportionate cost.

Mobility Allowance

Mr. Allen: To ask the Secretary of State for Social Security what steps is his Department taking to increase the take-up of mobility allowance by the deaf-blind; and if he will make a statement on progress to date.

Mr. Scott: We have been monitoring the take-up of mobility allowance by people who are both deaf and blind and we have been disappointed that more claims have not been made. That is why on 18 February we started a nationwide publicity campaign primarily targeted on

carers and profesaionals working with disabled people. It involves a direct mailshot to carers and professionals, the distribution of leaflets in specialist journals, and radio broadcasts.

Benefit Applications

Mr. Allen: To ask the Secretary of State for Social Security what is the average time taken to process applications for each of the main benefits for which his offices covering the Nottingham, North constituency are responsible; and whether the operational strategy makes such information available to any hon. Member who asks a similar question.

Miss Widdecombe: The average length of time taken to process each of the main benefit claims for the offices covering the Nottingham, North constituency over the period 1 April 1990 to 31 December 1990 is in the table. This information can be made available to any hon. Member who asks a similar question. Hon. Members may also obtain the information from the appropriate district manager.

	Clearance times in working days			
	Castlegate	*David lane*	*Shakespeare street*	*Station street*
Income support	7·00	3·90	8·80	11·00
Retirement pension	16·80	9·00	26·70	17·90
Sickness/Invalidity benefit	6·80	7·50	10·70	7·70
Social fund				
(i) Budget loan	4·50	17·03	3·82	4·83
(ii) Community care grant	7·99	15·36	6·26	6·91
(iii) Crisis loan	0·30	0·25	0·16	0·46

SERPS

Mr. Allen: To ask the Secretary of State for Social Security, further to his answer of 6 February, *Official Report*, column *194*, within which heading the administrative costs of the state earnings-related pension scheme are subsumed; and what are the total costs under that heading for all fees, commissions and administrations covered by that heading.

Miss Widdecombe: The administrative costs of SERPS are not separately identified, but are included in the overall figure for retirement pension. In 1989-90 the total estimated administrative cost of retirement pension was £331 million.

Mr. Allen: To ask the Secretary of State for Social Security what sums have been paid for each of the years since 1986 from general taxation into the national insurance fund to make good deficits arising from opting out of the state earnings-related pension scheme.

Mr. Jack: Payments have never been made into the national insurance fund from general taxation specifically to make good contribution rebates arising from opting out of SERPS.

Management Consultancies

Mr. Allen: To ask the Secretary of State for Social Security, further to his answer of 12 February, *Official Report*, column *441*, if he will list those projects for which there is a publicly available report and those for which a report is not available.

Miss Widdecombe: Consultancy reports are usually internal working documents and are not publicly available. The exception is the Price Waterhouse report on residential care and nursing home costs, which was considered to be of wider interest. A copy of this report is available in the Library.

Benefit Costs

Mr. Allen: To ask the Secretary of State for Social Security what research his Department has done on changing the balance between income tax and national insurance so that total benefit costs are met from national insurance contributions.

Mr. Jack: No such research has been undertaken.

Community Charge Benefit

Mr. Allen: To ask the Secretary of State for Social Security when he expects to have information on the take-up level of community charge benefit.

Miss Widdecombe: Information on the take-up of income-related benefits such as community charge benefit, can be obtained only from retrospective data. Information about take-up for the first full year of the community charge benefit scheme can be produced only after the results of the 1991 family expenditure survey become available.

Attendance Allowance

Mr. Allen: To ask the Secretary of State for Social Security what guidance is issued by his Department to ensure that those in receipt of attendance allowance are made aware of other benefits which they may claim; and if he will make a statement.

Mr. Scott: The Department's leaflets are available to people receiving attendance allowance from normal outlets including social security offices, citizens advice bureaux, post offices, voluntary organisations and by writing or telephoning the Department of Social Security's leaflets unit at Stanmore. In addition the attendance allowance claim pack (DS2) gives information about invalid care allowance and home responsibilities protection. It also directs potential attendance allowance beneficiaries to sources of help and advice, including the social security freeline telephone service.

The leaflet which is sent with all decisions on attendance allowance (DS668) alerts recipients to a range of other

social security benefits to which they might be entitled, including invalid care allowance, income support, housing benefit and severe disablement allowance, and where to seek advice about social security benefits. It also gives details of the independent living fund. Children approaching 16 years of age who are receiving attendance allowance are sent specific advice about severe disablement allowance and income support, for which they may qualify.

Mr. Allen: To ask the Secretary of State for Social Security what percentage of attendance allowance reviews by doctors, of original decisions by delegated medical practitioners not to award, result in an award of attendance allowance; and if he will make a statement.

Mr. Scott: The information is not available in the form requested.

Information on all successful reviews is given at table E1·02 of "Social Security Statistics 1990", a copy of which is available in the Library. The figures for 1990 are given in the table.

Decisions on review by the Attendance Allowance Board and reason for review

	Figures
Total Reviews	68,094
Number successful	51,320
Success rate	75 per cent.
Reason for Review	
Dissatisfaction:	
Number reviewed	33,615
Number successful	21,330
Success rate	63 per cent.
Deterioration:	
Number reviewed	32,347
Number successful	29,084
Success rate	90 per cent.
Other change:	
Number reviewed	2,132
Number successful	906
Success rate	42 per cent.

Note: A successful review is one where an award is made or increased or is backdated.

Quality of Service Targets

Mr. Allen: To ask the Secretary of State for Social Security if he will include in his next departmental report the key quality of service targets for his Department and current performance results on each target.

Miss Widdecombe: We will continue to publish key targets for forward periods and results for past periods in the most appropriate documents. The results for years to 1989-90 and targets for 1990-91 were published in the departmental report (Cm 1514) on 1 February 1991. Targets for 1991-92 for the DSS executive agencies will be published in the individual agencies' business plans in April.

National Insurance

Mr. Allen: To ask the Secretary of State for Social Security what percentage of national insurance contributions is collected by the *(a)* Inland Revenue and *(b)* other bodies.

Mr. Jack: In 1989-90 the Inland Revenue collected 93 per cent. of all national insurance contributions. The remaining 7 per cent. were collected by the Department of Social Security.

Mr. Allen: To ask the Secretary of State for Social Security what is the total cost of staff and administration in collecting national insurance for each of the last 10 years.

Mr. Jack: The information is in the table. The figures show Department of Health and Social Security (now DSS) and Inland Revenue costs for the administration and collection of national insurance contributions.

The increase is accounted for mainly by the effects of inflation on salary and other operational costs. In addition, accommodation costs were transferred from the PSA to the administrative vote during the period covered by the table.

Income tax year	*Cost £ million*
1980-81	98
1981-82	103
1982-83	116
1983-84	130
1984-85	138
1985-86	145
1986-87	152
1987-88	163
1988-89	174
1989-90	183

Benefit Changes

Mr. Allen: To ask the Secretary of State for Social Security who set the criteria for the changes in benefits listed on page 6 and 7 of his departmental report—Cm. 1514; and what consultations took place on these criteria with the legislature.

Miss Widdecombe: Paragraphs 4 to 8 of the departmental report (Cm. 1514) set out the Government's approach to social security policy and its development. That approach, and all the proposals and actions of the Department, are subject to continuous parliamentary scrutiny.

"Next Steps" Agencies

Mr. Allen: To ask the Secretary of State for Social Security what changes he envisages in *(a)* parliamentary accountability in general and *(b)* his method of handling parliamentary written and oral questions arising from the move to agencies.

Miss Widdecombe: As my right hon. Friend the former Prime Minister said in reply to the hon. Member for Newport, West (Mr. Flynn) on 6 June 1990 at column *615*, Ministers remain fully accountable to Parliament for the work of their Departments, including executive agencies.

As one of the objectives of establishing executive agencies is to respond better to the concerns of hon. and right hon. Members, answers to written questions relating to operational matters for which authority has been delegated to a chief executive will normally be answered with an explanation that the chief executive, as the person best placed to give a prompt and effective response, will write to the hon. Member and a copy of the reply will be

placed in the Library. Answers to oral questions relating to operational matters will normally be based on information supplied by the chief executive.

Special Schools

Mr. Wigley: To ask the Secretary of State for Social Security if he will clarify paragraph 17 of his draft circular of 21 December 1990, on the application of local management of schools procedures to special schools in Wales, by specifying the precise advantages he believes special schools in Wales can obtain from delegated management.

Sir Wyn Roberts: I have been asked to reply. We propose to extend the openness and fairness of formula funding to all special schools and to give the opportunity to manage its own budget to every special school that wants to do so and can show that it is able to do so.

Written Answers to Questions

Friday 22 February 1991

EDUCATION AND SCIENCE

Schools (Minor Works)

Mr. Peter Walker: To ask the Secretary of State for Education and Science how many bids for minor works were made by aided schools in the Hereford and Worcester county council area for the year 1991-92; and how many have been approved.

Mr. Fallon: In its capital expenditure plans for 1991-92, Hereford and Worcester county council bid for 11 minor works projects at aided schools. None were approved. For work at county and controlled schools and colleges, the council received a total annual capital guideline of £6·8 million.

Schools (Capital Expenditure)

Mr. Peter Walker: To ask the Secretary of State for Education and Science if he plans to increase the level of grants agreed for capital expenditure at aided schools.

Mr. Fallon: Capital grants to aided schools have almost doubled in real terms since 1978-79. The following table shows the level of grant available for capital expenditure, excluding repairs, in cash terms for the last five years.

	£ million
1987-88	31·6
1988-89	43·5
1989-90	57·5
1990-91	71·0
1991-92	84·2

My right hon. and learned Friend hopes to continue increasing the level of funds available for capital expenditure at aided schools subject to the constraints of overall policy on public expenditure.

Data Protection

Mr. Cohen: To ask the Secretary of State for Education and Science when his Department first considered whether schools might have to register under the Data Protection Act; when he expects to issue guidance to school governors about the Data Protection Act; and whether he will make a statement.

Mr. Fallon: The implications of the Data Protection Act for schools have been kept under review since the Act first came into force. The possible need for schools to register on their own account was first considered in 1989 in the light of increasing use of computer systems in schools involving personal data. Following discussion with the Data Protection Act Registrar and the local authority associations draft guidance was issued for consultation in October 1990 and guidance will be issued to schools when the consideration of comments received has been completed.

Major Works

Mr. Peter Walker: To ask the Secretary of State for Education and Science what were the bids made by educational authorities for major works for 1991-92; and what proportion of these bids has been agreed.

Mr. Fallon: Local authorities submitted 521 bids for new major projects in voluntary aided and special agreement schools to start in 1991-92, which would require grant aid of £54 million. Of these, 67 were placed on the starts list and 31 on the design list, involving a grant of £12·5 million in 1991-92, or 23 per cent. of the grant bid for. A further 93 bids were made for projects which require statutory proposals. Additional funds will be allocated as necessary for any such project for which associated statutory proposals are approved in the course of the year.

Secondary School Education

Mr. Norris: To ask the Secretary of State for Education and Science what is the cost of educating a secondary school pupil in Hillingdon and in each contiguous local education authority.

Mr. Fallon: In 1988-89, the latest year for which information is available, expenditure per secondary pupil derived from information supplied by authorities was as follows:

Authority	£
Hillingdon	1,870
Buckinghamshire	1,715
Ealing	2,145
Harrow	1,740
Hertfordshire	1,740
Hounslow	1,895
Surrey	1,635

University of Wales

Dr. Thomas: To ask the Secretary of State for Education and Science what were the total numbers of *(a)* males and *(b)* females in 1989-90 within the university of Wales studying (i) languages (ii) social sciences, (iii) multi-disciplinary studies, (iv) medicine and dentistry, (v) biological sciences, (vi) humanities, (vii) physical sciences, (viii) studies allied to medicine, (ix) mathematical sciences, (x) business and financial studies, (xi) engineering and technology, (xii) veterinary sciences, agricultural and related, (xiii) creative arts, (xiv) education and (xv) architecture, librarianship and information science.

Mr. Alan Howarth: Information for 1989-90 will be published by the Universities' Student Record in 'University Statistics Volume I—Students and Staff' on 24 February 1991, a copy of which will be placed in the House of Commons Library.

HOME DEPARTMENT

Female Circumcision

Mrs. Roe: To ask the Secretary of State for the Home Department how many prosecutions for illegal female circumcision have taken place in the United Kingdom since 1985; and if he will make a statement.

Mr. Kenneth Baker: Records available centrally show no prosecutions in the United Kingdom between 1985 and 1989 under the Prohibition of Female Circumcision Act 1985.

Jet Skis

Mr. Higgins: To ask the Secretary of State for the Home Department what enabling powers are available to him as the confirming authority for local authority byelaws relating to jet skis, as outlined in his answer of 25 October 1990, *Official Report*, column 262.

Mr. Peter Lloyd: The Secretary of State for the Home Department is the confirming authority for byelaws made under the following provisions which permit the regulation of jet skis:

Section 76 of the Public Health Act 1961 for the regulation of seaside pleasure boats.

Section 90 of the National Parks and Access to the Countryside Act 1949, for the regulation of the use of waterways in National Parks, areas of outstanding natural beauty and areas where an access agreement has been made.

Sections 13 and 41 of the Countryside Act 1968, for the regulation of the use of lakes in National Parks and waterways in country parks.

Provisions under certain Local Acts.

Section 235 of the Local Government Act 1972, which permits regulation and suppression of nuisances by district and borough councils where no other powers are available.

Public Order Act

Miss Emma Nicholson: To ask the Secretary of State for the Home Department (1) whether he intends to publish full results of his Department's review of section 39 of the Public Order Act 1986 in due course;

(2) if he will make a statement on any interim conclusions reached from his Department's review of section 39 of the Public Order Act 1986.

Mr. Peter Lloyd: We propose to announce shortly the substantive conclusions of our evaluation of section 39 of the Public Order Act 1986.

Travellers

Miss Emma Nicholson: To ask the Secretary of State for the Home Department what representations he has received from farmers concerning the swiftness and effectiveness of their legal sanctions against travellers trespassing on their land.

Mr. Peter Lloyd: We received two representations from farmers' organisations in response to the publicly announced evaluation of section 39 of the Public Order Act 1986, which deals with aggravated trespass on land. Simple trespass is a matter for my noble and learned Friend the Lord Chancellor.

Firearms

Mr. Wiggin: To ask the Secretary of State for the Home Department how many chief constables are demanding that every applicant for the grant or renewal of a shotgun certificate provides proof of a good reason for requiring such a shotgun; whether this is required by law and whether he will issue further guidance to chief police officers to clarify the matter and confine such a practice to firearms.

Mr. Peter Lloyd: The administration of the Firearms Acts 1968 to 1988 is a matter for individual chief officers of police who are empowered under section 28 (1A) of the Firearms Act 1968 as amended by section 3 of the Firearms (Amendment) Act 1988 to refuse the issue or renewal of a shotgun certificate if they are satisfied that an applicant does not have a good reason for purchasing, acquiring or possessing a shotgun.

Information about the practical operation of firearm controls within each force area in England and Wales is not held centrally and could be obtained only at disproportionate cost.

Practical guidance on the proper and efficient administration of firearms controls has been issued to the police service in the document "Firearms Law: Guidance to the Police", a copy of which was placed in the Library on publication in 1989. At our request the Association of Chief Police Officers (ACPO) has written to chief officers drawing their attention to the guidance given on this matter to help ensure consistency of practice between police forces.

Data Protection

Mr. Wigley: To ask the Secretary of State for the Home Department what steps he has taken to encourage the European Commission to adopt adequate standards of data protection; and whether he has any plans to propose the establishment of a Commissioner for data protection for Europe.

Mrs. Rumbold: We support any move by the Commission to ensure that all Community states ratify the European convention on data protection and introduce national implementing legislation. We have no plans to propose the establishment of a European data protection Commissioner.

Greater London Council

Mr. Tony Banks: To ask the Secretary of State for the Home Department what is his estimate of staff numbers in his Department involved in full or part-time work arising from responsibilities transferred from the Greater London council.

Mr. Kenneth Baker *[holding answer 19 February 1991]:* None.

Annual Report Costs

Mr. Vaz: To ask the Secretary of State for the Home Department how much the Home Office annual report 1991 cost to produce and distribute.

Mr. Kenneth Baker *[pursuant to his reply of 14 February 1991, column 549]:* Costs of £32,500 for design and artwork were borne by the Home Office.

ENERGY

Combined Heat and Power

Mr. Simon Hughes: To ask the Secretary of State for Energy when he expects the combined heat and power schemes database being compiled by the Office of Electricity Regulation to be completed; and if he will make a statement.

Mr. Heathcoat-Amory: Work is continuing on gathering information for the combined heat and power schemes database, and it is expected that it will begin to come on line during the second half of this year. That part of the database which is not commercially in confidence will be available to members of the public and to interested parties.

Energy Efficiency Grant

Mr. Simon Hughes: To ask the Secretary of State for Energy if he has any plans to expand the energy efficiency grant aid scheme for low-income households.

Mr. Heathcoat-Amory: The home energy efficiency scheme was introduced on 1 January 1991 and early indications are that it has been well received. My Department will monitor its progress carefully, but it would be premature to take decisions on possible expansion of the scheme.

Expenditure

Dr. Thomas: To ask the Secretary of State for Energy what percentage of total United Kingdom energy expenditure was accounted for by *(a)* transport, *(b)* buildings and *(c)* other industries in (i) 1989 and (ii) 1990.

Mr. Heathcoat-Amory: It is estimated that, in 1989, 44 per cent. of total United Kingdom energy expenditure, inclusive of taxes, was accounted for by transport; 42 per cent. was spent on heating buildings and 13 per cent. was accounted for by industry for purposes other than the heating of buildings and for transport. Data for 1990 are not yet available.

Data derived from table 9 of the "Digest of United Kingdom Energy Statistics 1990" and building research establishment publications.

Housing

Dr. Thomas: To ask the Secretary of State for Energy whether he has any plans to ensure that United Kingdom housing stock achieves a higher rating on the national home energy rating; what targets he has set for developing energy efficiency in the housing stock up to the year 2000; and whether he has made any estimate of the effect of energy efficiency in housing stock on *(a)* the potential savings on energy expenditure and *(b)* emissions of carbon dioxide.

Mr. Heathcoat-Amory: The Government promote energy efficiency in housing through information programmes, such as the EEO best practice programme and its current publicity campaign targeted on those moving or improving their homes, including promotion of home energy labelling; through thermal requirements in building regulations; and through financial support targeted on those on low incomes, including the new home energy efficiency scheme, house renovation grants, the local government housing demonstration programme and estates action. Whilst targets are set for individual programmes as appropriate, no targets have been set for the housing stock as a whole, where the rate of improvement in energy efficiency depends upon the decisions and choices of individual householders in the light of their own particular circumstances.

Assessments of the prospects for achieving reductions in energy expenditure and carbon dioxide emissions in the domestic sector are contained in the paper submitted by the United Kingdom to the energy and industry sub-group of the response strategies working group of the Intergovernmental Panel on Climate Change in November 1989, and subsequently published in January 1990 as energy paper No. 58 under the title "An Evaluation of Energy Related Greenhouse Gas Emissions and Measures to Ameliorate Them".

Dr. Thomas: To ask the Secretary of State for Energy whether his Department has any plans to use the national homes energy rating as a means of setting performance targets both for new build and for the improvement of existing homes.

Mr. Heathcoat-Amory: My Department considers that home energy labelling is an important means whereby individual householders and those responsible for building and managing housing stock can become better informed about the scope for improving the energy efficiency performance of their dwellings. I therefore welcome the initiatives taken by the National Energy Foundation and MVM-Starpoint to launch home energy labelling schemes based on the building research establishment's domestic energy model (BREDEM).

My Department and the Department of the Environment are working with both organisations to help promote the concept of home energy labelling more widely. As explained in the Government's White Paper "This Common Inheritance", our intention is that energy labelling should be sufficiently developed to be incorporated into the building regulations when they are next amended. We are also examining what part home energy labelling can play to achieve energy efficiency improvements in the existing housing stock.

Electricity Prices

Mr. Morgan: To ask the Secretary of State for Energy what consultations he proposes to hold with the Director General of the Office of Electricity Regulation concerning the application of the clawback provision in 1991-92 arising from under-provision for inflation in 1990-91 to the price increases permitted to the electricity distribution companies to run from 1 April.

Mr. Morgan: To ask the Secretary of State for Energy when he next expects to meet the Director General of OFFER to discuss the formula for prospective increases in the price of electricity for domestic consumers.

Mr. Heathcoat-Amory: My right hon. Friend meets the Director General of Electricity Supply from time to time to discuss a range of electricity matters. It will be for the director general, when he has fully considered the proposals by regional electricity companies for their 1991-92 tariff proposals, to satisfy himself that any changes are consistent with the price controls in their licences.

Mr. Morgan: To ask the Secretary of State for Energy (1) what proposals he has to strengthen the protection of tariff electricity consumers against price rises greater than the rate of retail prices index inflation in respect of the financial year starting on 1 April;

(2) if he will revise the basis on which the month is chosen for the calculation of retail prices index inflation to

trigger the clawback provision for domestic electricity prices in the year subsequent to the year for which RPI inflation has been under-estimated.

Mr Heathcoat-Amory: Modifications to any of the conditions in the public electricity supply licences issued to the regional electricity companies are a matter for the Director General of Electricity Supply in accordance with the procedures set out in the Electricity Act 1989 and in the licences.

ENVIRONMENT

Green Belts

Mr. Brando-Bravo: To ask the Secretary of State for the Environment if he will make a further statement on his policy regarding the revision of existing green-belt areas.

Sir George Young: Planning policy guidance note No. 2 sets out the Government's policy on green belts. Once the extent of a green belt has been established it should be altered only in exceptional circumstances.

Mr. Brandon-Bravo: To ask the Secretary of State for the Environment if he will make a further statement on his policy towards green-belt development proposals which are supported by local planning authorities.

Sir George Young: Paragraph 13 of planning policy guidance note No. 2 lists the limited types of development which may be appropriate in the green belt. Very special circumstances are needed to justify other types of development. Local planning authorities should inform the Secretary of State if they are minded to approve proposals that materially depart from the provisions of an approved development plan. The Secretary of State may decide to call in proposals for his own determination if planning issues of more than local importance are involved.

Surplus Land

Mr. French: To ask the Secretary of State for the Environment what assessment he has made of the success of his policies in encouraging public sector bodies to sell their surplus land.

Mr. Yeo: There is some evidence that, in general—against the background of the encouragement, incentives and penalties provided—public sector bodies have in recent years been taking steps to improve their property management. However, there is still too much unused and underused land and, in the light of the responses to last year's consultation paper, we are considering what further action should be taken to improve the position.

Community Charge

Mr. Channon: To ask the Secretary of State for the Environment whether he proposes to issue a further circular to charging authorities clarifying the statutory extent of their discretion in seeking the payment of community charge by military personnel serving in the Gulf; and if he will make a statement.

Mr. Heseltine: I refer my right hon. Friend to my statement to the House on Tuesday 19 February, in which I announced that it was the Government's intention that no service personnel or associated civilians posted to the Gulf should have to pay the community charge for the duration of their posting. When the judgment in the Anderton case is received, we shall be considering ways of ensuring that this objective can be achieved and I shall present details to the House as soon as I can.

Mr. David Shaw: To ask the Secretary of State for the Environment what is the cost per chargepayer of collecting the community charge in respect of each collecting council in Kent.

Mr. Key: The information requested is as follows:

Community charge collection costs per head of relevant population

	Budget estimates 1990-91 £
Ashford	9·64
Canterbury	10·48
Dartford	10·77
Dover	10·61
Gillingham	7·66
Gravesham	9·44
Maidstone	9·20
Rochester on Medway	7·10
Sevenoaks	6·44
Shepway	14·92
Swale	9·64
Thanet	10·62
Tonbridge and Malling	9·67
Tunbridge Wells	6·95

Fire Regulations

Mr. Ken Hargreaves: To ask the Secretary of State for the Environment what plans there are to ensure that the building regulations in respect of fire, when modified, for England and Wales will be consistent with those related to Scotland and Northern Ireland.

Mr. Yeo: When decisions are taken on the proposals for amendments to part B of the Building Regulations 1985 relating to safety in fire, and to the related practical guidance, the desirability of greater technical consistency between the Building Regulations for England and Wales, and those for Scotland and Northern Ireland, will be an important consideration. At the same time, full weight will also be given to the undertaking in the White Paper "Lifting the Burden" that the Government will examine carefully the possibilities of reducing the level of regulation in this area, where this would not lead to increased risk to personal safety.

Property Services Agency

Mr. Campbell-Savours: To ask the Secretary of State for the Environment when he expects the Property Services Agency to be placed on a commercial accounting basis.

Mr. Yeo: I refer the hon. Gentleman to the reply that I gave to his question on 14 February 1991 at column *538*.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what steps have been taken to ensure that Property Services Agency divisions other than TCS have all complied with all EC/GATT regulations relating to the actions of the Property Services Agency.

Mr. Yeo: As part of preparations for operation as the agent of other Government Departments requiring work services, all PSA services divisions have been reminded of the EC/GATT rules.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what arrangements are being made for the valuation of the Property Services Agency and its assets prior to privatisation.

Mr. Yeo: Financial advisers, appointed in connection with the privatisation of the Property Services Agency, will value the business and its assets prior to privatisation.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what guarantees or conditions he is applying to the contract for sale of the divisions of the Property Services Agency to ensure that terms of conditions of service that currently apply to civil servants in that department are retained.

Mr. Yeo: All employees' terms and conditions of service are protected by law against unilateral changes. The contract for sale is likely to refer to redundancy and pension terms, because those arrangements are subject to technical changes. Negotiations are taking place with the relevant trade unions about those changes.

Drinking Water Inspectorate

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will publish the number of officials in his Department employed in the drinking water inspectorate; and if he will arrange for the results of the inspectorate's monitoring to be placed in the Library.

Mr. Baldry: The full complement of the drinking water inspectorate is 26 posts of which 20 are filled, including one by a secondee from the Water Research Centre. Recruitment of the remaining staff for the Inspectorate is currently in progress.

The chief inspector's report for the calendar year 1990 is due to be published in the summer. Copies will be placed in the Library of both Houses.

Sleeping Rough

Mr. Dobson: To ask the Secretary of State for the Environment (1) if he will provide a borough-by-borough breakdown of his Department's estimate of about 2,000 to 3,000 people sleeping rough in central London, referred to by the Minister for Housing and Planning in an oral answer on 30 January 1991 at column 926;

(2) on what date the estimate of people sleeping rough in central London referred to in his oral answer of 30 January 1991 *Official Report*, column 926, was arrived at; and who was involved in making the estimate;

(3) what differences there are between the areas covered by the estimate for people sleeping rough given by the Minister for Housing and Planning in an oral answer on 30 January 1991, *Official Report*, column 926, and those covered by the oral answer by the Under-Secretary of State on 8 February 1991, *Official Report*, column 543.

Sir George Young: The estimate given in the oral answer on 30 January related to the whole of London and was based on discussions that my Department had during 1990 with voluntary organisations working in the field, in the light of the findings of the Salvation Army survey in April 1989 of rough sleepers in 17 London boroughs. This estimate was not broken down on a borough by borough basis. The figure quoted by my hon. Friend the Under-Secretary of State on 8 February reflects an estimate made by voluntary organisations in seven locations in central London at the end of January 1991.

Mr. Soley: To ask the Secretary of State for the Environment whether he intends to ensure funding is available to continue the facilities made available recently to the homeless during the recent cold weather; and if he will make a statement.

Sir George Young *[holding answer, 21 February 1991]:* Yes. We have offered funding to the voluntary bodies and local authorities who provided emergency shelters for rough sleepers in London during the very cold weather to enable them to remain open for longer; 470 places are available at present and we are pursuing the possibility of further short-term emergency shelters. These are additional to the 2,000 direct access hostel places permanently provided in London.

Leeds Development Corporation

Mr. Fatchett: To ask the Secretary of State for the Environment whether he has made any assessment of the impact on employment of the work of the Leeds development corporation.

Mr. Key: Between June 1988 and March 1990, 5,241 permanent jobs were created in Leeds Development Corporation's area with a further 885 expected in the year to 31 March 1991. This is a significant contribution towards employment opportunities in Leeds.

Mr. Fatchett: To ask the Secretary of State for the Environment what is the total funding for each financial year of the Leeds development corporation.

Mr. Key: The amount of grant in aid provided to Leeds development corporation was £2·743 million in 1988-89 and £8·75 million in 1989-90; £14 million is available in 1990-91 and £12 million in 1991-92.

Mr. Fatchett: To ask the Secretary of State for the Environment if he will make a statement on the record of the Leeds development corporation.

Mr. Key: Since designation in June 1988, Leeds development corporation has made excellent progress in stimulating the regeneration of its area. By the end of this financial year more than 1·5 million square feet of industrial and commercial floor space will have been completed or be in the course of construction, creating over 1,700 construction and 6,100 permanent jobs. Further planning permissions have been granted for developments totalling 2·5 million square feet.

The corporation has published planning frameworks for eight of its fourteen sub-areas. The remaining six will be available by June. Major road improvement works have been completed to open up the proposed new 50 acre Hunslet business park which will provide accommodation for new businesses and allow existing firms to expand. Developers have been selected for three major joint development competitions with Leeds city council, British Waterways and British Gas for key inner city sites. The proposed developments include housing, community, leisure, industrial and commercial uses. The corporation

places a high priority on minimising disruption to existing businesses and assisting with relocation. Two major relocation sites totalling 32 hectares have been acquired are being serviced.

Assistance to businesses is being provided under various grant schemes. Six city grants, five sites and property grants and twenty environmental improvement grants have been offered. The corporation's community sponsorship grant scheme is also proving popular with nineteen grants having been taken up.

In the Calls conservation area, sensitive new developments and pedestrian thoroughfares are linking the city centre with the riverside, where new developments are taking place alongside existing buildings for which new uses are being found. The corporation is working closely with Leeds city council, British Waterways and the Leeds-Bradford city action team to enhance the potential of the River Aire and the Leeds-Liverpool canal. At these and other gateway sites, 28 environmental improvement schemes involving nearly 100,000 sq m of planting/landscaping, stonecleaning of walls and bridges, repairs and re-paving works have been implemented.

Leeds development corporation is to be congratulated on its achievements to date and the efforts it is making to ensure progress is maintained.

Mr. Fatchett: To ask the Secretary of State for the Environment if he will list the projects assisted with financial support by the Leeds development corporation.

Mr. Key: Between designation in 1988 and January 1991 Leeds development corporation has provided financial support for projects as set out in the following table:

	£'000s
Environmental and landscaping works	2,125
Land assembly including acquisitions for relocation of displaced business	11,744
Site servicing	1,588
City grant schemes	839
Industrial sites/property improvement grants	123
Community sponsorship grants	19
Highways	730

The Gulf

Mr. O'Neill: To ask the Secretary of State for the Environment what is his assessment of the environmental impact of military operations conducted in the Gulf region by *(a)* Iraqi forces and *(b)* those forces seeking to implement United Nations resolutions; and if he will make a statement.

Mr. Heseltine: The Government did not want this conflict, but Saddam Hussein's intransigence in the face of all peaceful pressures left no other course. Iraqi action has already led to damage to the environment as indicated by the deliberate release of oil into the Gulf. The Government together with the countries of the OECD has condemned this action as a violation of international law and a crime against the environment. As part of the Government's assistance to the Gulf states responding to the spill we have commissioned reports by the National Environment Council into the biological effects of the oil slicks. We have also commissioned and published a study by the Meteorological Office to examine the effects on the environment should Kuwaiti oil installations be fired. Copies of these reports are in the Library. Environmental factors are taken into account by the coalition forces as far as possible in the planning and conduct of military operations as part of the policy of ensuring that collateral damage from those operations is minimised.

Construction Materials

Sir John Stanley: To ask the Secretary of State for the Environment what were the figures for exports, imports and the resulting trade balance for construction materials in each of the years 1988, 1989 and 1990.

Sir George Young: The figures requested are as follows:

			£ million
	1988	*1989*	[1] *1990*
Imports	4,171	4,695	3,570
Exports	1,590	1,845	1,591
Trade balance	2,581	2,850	1,979

[1] The first three quarters' figures only. Figures for the full year have yet to be published.

Sir John Stanley: To ask the Secretary of State for the Environment what were the figures in each of the years 1988, 1989 and 1990 for exports, imports and resulting trade balance for the entire construction sector, excluding construction materials but including the overseas remittances of contractors and consultants.

Sir George Young: No figures are available for 1990. Those for 1988 and 1989 are given in the table.

		£ million
	1988	*1989*
Work done by contractors overseas	1,994	1,426
Consulting engineers[1]	400	440
Chartered surveyors[1]	100	110
Architects	Not separately identified.	

[1] These earnings are recorded net of their overseas expenses. The work done by overseas companies within the United Kingdom is not separately identified.

Waste Disposal

Mr. Batiste: To ask the Secretary of State for the Environment when he expects to publish advice on the new arrangements for waste disposal operations under the Environmental Protection Act 1990, including the introduction of competition and the establishment of local authority waste disposal companies; and if he will make a statement.

Mr. Trippier: My Department and the Welsh Office today issued a draft circular to local authorities for consultation. It gives guidance on the new arrangements for waste disposal operations under the Environmental Protection Act 1990, including the introduction of competitive tendering, and advice on the creation of local authority waste disposal companies (LAWDCs).

From May this year, local authorities will have to arrange for waste disposal contracts to be awarded only after competitive tendering. In choosing which tenders to accept they will, of course, have to consider value for money, but will also be able to seek environmental improvements in the form of reduced pollution and increased recycling. They must not discriminate unduly between different types of waste disposal contractor.

Moreover, under the Act local authorities will no longer be able to carry out waste disposal operations themselves. They can contract the work out to the private sector, set up joint venture companies or establish a LAWDC. If they do not make satisfactory arrangements for waste disposal themselves, the Secretary of State will direct them to form a LAWDC.

The draft circular includes guidance on setting up a LAWDC and advice on drawing up a scheme to transfer the authority's waste disposal undertaking to the new company. Each transfer scheme must be approved by the Secretary of State.

Setting up the new arrangements for waste disposal will be a major cooperative exercise between central and local government. Individual timetables will be set for each authority reflecting its particular circumstances and the Secretary of State's wish to implement this policy as soon as possible.

These changes with other provisions of the Act, will separate local authority waste disposal options from regulation, providing the basis for higher standards and fair competition. They will, encourage the provision of improved services for the collection, keeping, treatment and disposal of waste. Competition for local authority waste disposal contracts will increase efficiency and identify the full cost of waste disposal, allowing rational choices to be made on achieving the environmental improvements which we all desire.

Local Government Finance

Mr. Nellist: To ask the Secretary of State for the Environment pursuant to his reply to the hon. Member for Coventry, South-East of 5 February, *Official Report*, column *101*, whether similar allowance for losses has been made in respect of the collection of the poll tax; and if he will make a statement.

Mr. Key *[holding answer 15 February 1991]:* No. It would not be appropriate to make such an allowance in respect of the collection of the community charge.

Disabled Facilities Grant

Mr. Alfred Morris: To ask the Secretary of State for the Environment if he will give details for each local authority of take-up of the disabled facilities grant.

Sir George Young *[holding answer 21 February 1991]:* The new system of grants to private owners and tenants under the Local Government and Housing Act 1989, including the disabled facilities grant, commenced on 1 July 1990. The information so far available relates to the first quarter of operation of the new system and, not surprisingly, the numbers of grants approved and paid were low. A table listing the numbers of grants reported by English local authorities has been placed in the Library. Figures for the fourth quarter will shortly become available and will also be placed in the Library.

PRIME MINISTER

Housing Renovation Grants

Mrs. Mahon: To ask the Prime Minister if he will repeal the Housing Renovation Etc. Grants (Reduction of Grant) Regulations 1990.

The Prime Minister: No.

Extra-statutory Expenditure

Mr. Allen: To ask the Prime Minister if he will list the expenditure items and cost of each item which his Government have undertaken on an extra-statutory basis since he became Prime Minister.

The Prime Minister: Spending by the Government is undertaken in accordance with arrangements which have been accepted by Parliament. The normal practice is to ensure that for continuing functions there is a specific statutory authority for the expenditure.

Ministerial Travel

Mr. Allen: To ask the Prime Minister if he will list the total number of international flights paid for by Her Majesty's Government for its Ministers and officials in each class of ticket since 28 November 1990.

The Prime Minister: This information is not held centrally and can be supplied only at disproportionate cost.

Armed Forces Allowances

Mr. Flynn: To ask the Prime Minister what effect the changes since 1978 in the rates of children's allowances, children's pensions and child benefit, payable by the Departments of Defence and Social Security, to the widows of members of the armed forces have had on their combined value.

The Prime Minister: The information is not available in the form requested. For the Department of Social Security war widows' children's allowances and child benefits I refer the hon. Member to the replies given to him on 28 January 1991 at columns *440-42* and on 14 February 1991 at columns *580-82*.

As regards children's pensions payable by the Ministry of Defence under the provisions of the armed forces pensions schemes these are initially awarded by reference to circumstances, including rates of pay, applicable at the time of their fathers' service ended. Awards are therefore individually assessed. They are subsequently increased in line with the retail prices index.

The combined value of war pensions and allowances, child benefit and Ministry of Defence pensions for the widow and two children of a corporal killed in service today would be about £276 per week. Lump sum payments amounting to more than £20,000 would also be payable.

TRADE AND INDUSTRY

British Standards

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry what representations he has received regarding the increase in the cost of subscribing to a full set of British standards in printed form; and if he will make a statement on future proposed charges for this service.

Mr. Leigh: We have received representations on this matter, directly or through right hon. and hon. Members, from one county council and one chamber of commerce and industry.

The charge made for this service is a matter for the British Standards Institution.

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry what representations he has received over the recent decision by the British Standards Institute library not to loan out copies of foreign standards; and if he will make a statement on the availability of such information for business in preparation for the single European market.

Mr. Leigh: We have received representations on this matter, directly or through right hon. and hon. Members, from one county council.

Whether to lend, as well as to sell, copies of such standards is a matter for the British Standards Institution.

Postage Stamps

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry whether he will publish in the *Official Report* the information available to him about the number of outlets for the sale of postage stamps, which are not post offices *(a)* in England and *(b)* in the counties of Somerset, Devon, Dorset and Wiltshire, and any information he has about the change in the number of such outlets in recent years.

Mr. Leigh: The provision of postage stamps is an operational matter for the Post Office Board. However, I understand that the numbers of non-post-office outlets selling postage stamps in the areas mentioned are as follows:

	Number
England	40,500
Somerset	330
Devon	1,250
Dorset	360
Wiltshire	380

It must be noted that these figures are approximate as the Post Office's records are held in post town order rather than by county and some post towns fall into more than one county according to postcode. It should also be noted that the Post Office's records include all those retailers who have ever sold postage stamps. I understand that the Post Office has no way of identifying those retailers actively selling postage stamps.

I understand that there is no information available about the change in the number of such outlets in recent years.

"The Man who Made the Supergun"

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will obtain for his departmental library a copy of the transcript and videocassette of the BBC2 "Timewatch" programme on "The Man who Made the Supergun", broadcast on 13 February.

Mr. Lilley *[holding answer 20 February 1991]:* I do not propose to obtain a copy of the transcript and videocassette of the BBC2 "Timewatch" programme for the departmental library.

WALES

Pollution

Mr. Bellingham: To ask the Secretary of State for Wales if he will list the appeals under section 10 of the Control of Pollution Act 1974 currently under consideration, showing the dates when they were first lodged; and how many such appeals have been determined in the last six months.

Mr. Nicholas Bennett: The appeals under consideration are as follows:

Waste disposal licence appeals

Appellant	*Waste disposal authority*	*Date*
Wistech plc	Blaenau Gwent borough council	31 January 1989
Brisco Waste Disposal Ltd.	Swansea city council	30 October 1989
Cribarth Waste Disposal	Brecknock borough council	12 March 1990
Max Recovery (Holdings) Ltd.	Swansea city council	30 April 1990
Euromet Ltd.	Rhymney Valley district council	16 May 1990
Shanks and McEwan (Midlands) Ltd.	Wrexham Maelor borough council	21 August 1990

One appeal has been determined in the past six months.

Prince of Wales Hospital, Rhydlafar

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of South Glamorgan health authority relating to the contract given to constructors TERN to upgrade ward 8 and part of ward 9 at the Prince of Wales orthopaedic hospital, Rhydlafar to the standards required for the accommodation of geriatric patients.

Mr. Nicholas Bennett: None.

Hospital Closures

Mr. Morgan: To ask the Secretary of State for Wales if he will make it his policy to debar the South Glamorgan health authority from undertaking any capital investments which anticipate his decisions on the hospital closure proposals of that health authority not yet publicly announced.

Mr. Nicholas Bennett: I refer the hon. Gentleman to the answer that I gave him on 15 February 1991 at col. *635*.

Health Service Budgeting

Mr. Morgan: To ask the Secretary of State for Wales what arrangements he has made with the chairmen of the South Glamorgan, Mid Glamorgan and Gwent health authorities concerning a smoothing mechanism to operate after 1 April in respect of the new budgeting system and the new charging system for cross-border flows of patients to hospitals and clinics.

Mr. Nicholas Bennett: The 1991-92 revenue allocations to district health authorities in Wales take account of the cost of maintaining cross-boundary flows of patients

within the new contractual framework. It is therefore expected that the initial contracts to run from 1 April 1991 will provide for the maintenance of these flows. However, in subsequent years, as the contracting process rolls forward, authorities will have the opportunity of reviewing the existing pattern of services in the light of services available elsewhere and the progressive transition of revenue funding towards weighted capitation formula shares. Authorities were recently consulted about the structure and implementation of a weighted capitation formula and my right hon. Friend plans to make an announcement shortly about its introduction.

Fishing

Mr. Wigley: To ask the Secretary of State for Wales how much of the total grant to Milford Haven fishing concerns has been specifically allocated to indigenous local non-sector vessels in each year since 1979.

Mr. David Hunt: Since 1979 the Department has offered regional selection assistance towards three projects in respect of non-sector fishing vessels based at Milford Haven—£60,000 in 1984, and £75,000 in 1986.

88. **Mr. Wigley:** To ask the Secretary of State for Wales if he will make a statement on the progress made on fishing trawler decommissioning in Wales.

Mr. David Hunt: The Government have no plans to introduce a decommissioning scheme.

SOCIAL SECURITY

Leicester Local Office (Refurbishment)

Mr. Vaz: To ask the Secretary of State for Social Security whether the refurbishment works at Yeoman street, Leicester have been completed; what is his latest estimate of the outturn cost of the refurbishment works; what was the estimate for the cost before the refurbishment work started; and how many staff were employed at Yeoman street, Leicester in *(a)* January 1990 and *(b)* January 1991.

Miss Widdecombe: Refurbishment is due for completion by the end of next month at a current estimated works cost of £720,000; the estimated cost in October 1990 before work started was £625,000. On 2 January 1990 196 staff were in post and on 2 January 1991 there were 159. The reduction in staffing levels is accounted for by a drop in workloads and the introduction of computerisation. Twenty staff were moved to the newly established contributions unit.

Pensioners (European Travel Card)

Mr. Meacher: To ask the Secretary of State for Social Security, pursuant to his answer of 13 December 1990, *Official Report*, columns 500-1, to the hon. Member for Derbyshire, North-East (Mr. Barnes), whether the Government has yet responded to the European Commission on its proposals for a European travel card for British pensioners.

Mr. Jack: The EC recommendation asks for a response by 1 March. We shall be responding shortly to the Commission about its recommendation dealing with the provision of an EC over-60s card.

Community Charge

Mr. Allen: To ask the Secretary of State for Social Security (1) how many people in *(a)* Nottingham and *(b)* the United Kingdom have claimed community charge benefit based on claims for reimbursement by his Department;

(2) what is the proportion of those receiving poll tax rebates in the United Kingdom expressed as a percentage of the total number of poll tax payers.

Miss Widdecombe: Our latest estimates indicate that the number of people in *(a)* Nottingham and *(b)* Great Britain receiving community charge benefit is 57,000 and 8·9 million respectively. The latter figure is 21 per cent. of those liable for the charge.

The figures are likely to understate the current position, as some authorities had a number of unprocessed claims when the data on which the estimates are based was submitted.

War Widows

Mr. Flynn: To ask the Secretary of State for Social Security if he will make a statement on the impact uprating the war widows' children's allowance by the increase in the retail prices index and deducting any increase in child benefit will have on the combined value of these benefits.

Mr. Jack: The result of uprating war widows' children's allowances by the increase in the retail price index and deducting the proposed increase in child benefit would be a combined weekly benefit value of £22·10 per child.

Cold Weather Payments

Mr. Morgan: To ask the Secretary of State for Social Security, pursuant to his answers of 15 February, *Official Report*, columns 583-84, in what newspapers and on what dates the social security local offices in the county of south Glamorgan advertised the availability of qualifying conditions and the application forms for special cold weather payments.

Mr. Scott: Offices in the county of South Glamorgan placed an advertisement in both Cardiff and Vale of Glamorgan editions of the *Cardiff Post* on 14 February 1991.

Mr. Allen: To ask the Secretary of State for Social Security whether the period for the cold weather payments announced by the Prime Minister has finished.

Mr. Scott: The period covered by my right hon. Friend the Prime Minister's announcements ended on 14 February.

Benefit Take-up

Mr. Allen: To ask the Secretary of State for Social Security when he expects to publish the estimates on take-up for income-related benefits from the 1989 family expenditure survey.

Mr. Jack: Estimates of take-up of benefits cannot be produced until some time after the relevant data from the family expenditure survey has first become available. We hope to publish the 1987 take up estimates within the next few months, and those for 1989 will follow in due course.

Disability Premium

Mr. Allen: To ask the Secretary of State for Social Security how many applicants in Nottingham for severe disability premium are awaiting the decision of the appeal tribunal.

Miss Widdecombe: The responsibility for appeal tribunals lies with the president of social security and medical appeal tribunals, his honour Judge Derek Holden, who has advised me that his records show that there are no appeals relating to severe disability premium outstanding in Nottingham itself.

ATTORNEY-GENERAL

Low-energy Light Bulbs

Mr. Cartwright: To ask the Attorney-General what steps he is taking to encourage the use of low-energy light bulbs in his Department's offices and other buildings.

The Attorney-General: In the legal secretariat to the Law Officers, advice is being sought as to the cost-effectiveness of replacing the existing bulbs with low-energy bulbs. Some fluorescent tubes have been removed as the installations provide more light than is required in some locations.

In the Treasury Solicitor's Department the majority of its lighting is of the fluorescent type which is more energy efficient than lighting by ordinary lamp bulbs.

All Crown Prosecution Service offices have been encouraged to consider energy saving schemes including lighting. New or replacement lighting installations use low energy light sources where this is practicable.

The Serious Fraud Office has recently replaced halogen bulbs in the lift lobbies with low wattage long-life bulbs. Existing fluorescent tubes are of a variety which is considered to be energy and cost effective. The Serious Fraud Office is considering further energy savings by the introduction of new generation low-energy bulbs.

Legal Aid

Mr. Allen: To ask the Attorney-General what plans he has to make an annual publication of the funding, payments on account, and the hourly rates paid to solicitors by the Legal Aid Board.

The Attorney-General: Details of payments made by the Legal Aid Board including details of payments made on account to solicitors appear in the annual report of the Legal Aid Board. The most recent report (HC 489) for the year 1989-90 appeared in June 1990.

Details of the remuneration rates payable to solicitors appeared most recently in the legal aid handbook 1990 which is also prepared by the Legal Aid Board.

Social Security Appeals

Mr. Flynn: To ask the Attorney-General what are the reasons for the delay for the case on social security commissioner's file CSB/370/1989 to reach the stage of being referred by the commissioner to another appeal tribunal for determination; and what steps he has taken to ensure that adequate steps have been taken to prevent similar delays in other cases.

The Attorney-General: The late surge of appeals prior to the April 1988 social security benefit legislation gave rise to a significant increase in workload at the office of the social security commissioners (OSSC) as cases worked their way up the appeal system. Additionally, the OSSC experienced difficulties with the recruitment and retention of staff in 1989 and early 1990. The case on the social security commissioner's file CSB/370/89 was regrettably delayed in the ensuing backlog of appeals awaiting determination by the commissioners.

The commissioners are empowered to expedite cases in exceptional circumstances but received no representations on the appellants behalf or concerning her personal circumstances.

The Lord Chancellor's Department has been concerned about continuing long waiting times for commissioners' determinations and, following a manpower audit, local management at the OSSC, took in May 1990 a series of measures which have resulted in a reduction in delays. I would refer the hon. Member to the answer given on 18 June 1990 at column 389.

NATIONAL FINANCE

Manufacturing Output

Mr. Wigley: To ask the Chancellor of the Exchequer what was manufacturing output per head in each United Kingdom region in each year since 1976.

Mr. Mellor: The table gives the available information at current prices. Constant price estimates can not be calculated because there are no regional price deflators. Differences between regions may be due to differences in their industrial mix.

Gross value added per employee in manufacturing industry by standard region of the United Kingdom from 1976 to 1988

	North	Yorkshire and Humberside	East Midlands	East Anglia	South East	South West
Orders III—XIX, Standard Industrial Classification (1968)[1]						
1976	5,607	4,994	4,886	5,470	5,655	5,070
1977	6,206	5,719	5,464	6,432	6,667	5,746
1978	7,017	6,391	6,202	7,001	7,555	6,665
1979	8,343	7,634	6,911	8,227	9,236	7,852
Divisions 2-4, Standard Industrial Classification (1980)[1]						
1979	8,030	7,305	6,934	8,277	8,660	7,943
1980	8,941	8,031	7,906	9,551	9,760	9,182
1981	10,631	9,191	8,775	10,629	10,976	10,326
1982	11,091	10,265	9,944	12,749	12,373	12,041
1983	13,688	11,855	11,100	13,865	14,166	12,935
1984	15,544	12,933	12,172	14,988	15,155	14,282
1985	16,521	13,991	13,479	16,240	16,694	15,370

	North	Yorkshire and Humberside	East Midlands	East Anglia	South East	South West
1986	16,382	15,695	14,538	17,269	18,158	15,891
1987	19,305	17,344	16,354	18,326	20,114	17,297
1988	21,260	18,975	17,856	20,414	22,112	19,128

[1] Results of the Annual Census of Production for 1978 and for earlier years are available only for industries defined in terms of the Standard Industrial Classification (Revised 1968). For 1980 and later years, results are available only for industries defined in terms of the Standard Industrial Classification (Revised 1980). To provide a link between the two classifications, results for 1979 are available on both bases.

	West Midlands	North West	Wales	Scotland	Northern Ireland	United Kingdom
Orders III-XIX, Standard Industrial Classification (1968)[1]						
1976	4,854	5,438	5,776	5,437	4,727	5,316
1977	5,455	6,247	5,895	6,011	4,909	6,042
1978	6,271	7,138	6,582	6,808	5,062	6,845
1979	7,128	8,369	9,043	7,988	6,461	8,154
Divisions 2-4, Standard Industrial Classification (1980)[1]						
1979	7,136	8,078	7,199	7,915	6,399	7,838
1980	7,739	9,159	7,835	8,921	7,089	8,796
1981	8,874	10,069	9,415	10,701	9,070	10,027
1982	10,078	11,594	11,134	12,087	9,229	11,342
1983	11,409	13,176	13,353	13,745	10,938	12,947
1984	12,474	14,266	14,660	14,693	11,627	14,052
1985	13,928	15,705	15,395	16,317	12,323	15,375
1986	15,346	17,254	18,410	16,232	13,720	16,595
1987	16,594	18,746	21,235	19,153	14,287	18,412
1988	17,995	21,025	24,368	20,814	15,054	20,261

[1] Results of the Annual Census of Production for 1978 and for earlier years are available only for industries defined in terms of the Standard Industrial Classification (Revised 1968). For 1980 and later years, results are available only for industries defined in terms of the Standard Industrial Classification (Revised 1980). To provide a link between the two classifications, results for 1979 are available on both bases.

Duty-free Goods

Mr. Channon: To ask the Chancellor of the Exchequer what is Her Majesty's Government policy towards the continuation of duty-free goods in the EEC after the end of 1992.

Mr. Norman Lamont: The European Commission has made clear its view that, as a consequence of the completion of the single market, duty-free shopping for intra-Community travellers should cease.

The Government understand the Commission's view, but equally are aware of the significance of the duty-free trade in the United Kingdom. The Government will examine all the arguments carefully before a decision is made.

Mortage Tax Relief

Mr. Waldegrave: To ask the Chancellor of the Exchequer what was the cost to Her Majesty's Treasury of higher-rate mortgage tax relief in 1985, 1988 and 1990.

Mr. Maude: Estimates for financial years are as follows:

Direct revenue cost of mortgage interest relief at a rate in excess of the basic rate of income tax

Year	£ million
1985-86	260
[1]1988-89	310
[1]1990-91	470

[1] Provisional.

Energy Costs

Dr. Thomas: To ask the Chancellor of the Exchequer what was the total amount spent by United Kingdom consumers, inclusive of taxes, on energy in *(a)* 1989 and *(b)* 1990; and what proportion of total expenditure that was in each instance.

Mr. Heathcoat-Amory: I have been asked to reply.

In 1989 expenditure on energy in the United Kingdom (inclusive of taxes) was £42,150 million. This represents 8·0 per cent. of total domestic expenditure (at current market prices), or alternatively 8·3 per cent. of gross domestic product (average measure at current market prices). Figures for 1990 are not yet available.

NORTHERN IRELAND

Appointees

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if he will list the names of all Government-nominated members and the names of all district council nominated members of *(a)* the Londonderry Port and Harbour Commissioners and *(b)* the Warrenpoint Harbour Authority, in each year since 1979 giving the year of appointment and length of service in each case.

Mr. Needham: Appointments are as follows:

Name	Year of appointment	Length of service	Nominated by
Londonderry Port and Harbour Commission			
Mr. J. A. Allen	1977	9	Council
Captain P. J. Collier	1977	9	Government
Mr. J. T. Eaton	1977	14	Government
Mr. E. F. McCambridge	1977	4	Government

Name	Year of appointment	Length of service	Nominated by
Mr. P. J. O'Doherty OBE	1977	12	Government
Dr. R. F. Keys	1978	5	Government
Mr. T. Gallagher	1977	9	Government
Mr. F. Donnelly	1982	1	Council
Mr. J. M. Spence	1983	8	Government
Mr. J. Tierney	1983 } 1989 }	5	Council
Captain H. Stewart	1986	2	Government
Mr. P. Devine	1986	3	Council
Mr. S. Keys	1986	5	Government
Mrs. R. Mackenzie	1986	5	Government
Captain T. Wright	1988	3	Government
Mr. C. Murray-Cavanagh	1989	2	Government
Mr. J. Doherty	1989	2	Government
Warrenpoint Harbour Authority			
Mr. A. Shiells, CBE	1977	6	Government
Mr. W. V. Hogg, MBE	1977	9	Government
Mr. J. D. Fisher	1977	9	Government
Councillor J. V. McCart	1977	14	Council
Mr. J. McAleavey	1977	3	Government
Mr. J. C. O'Hare	1977	9	Government
Mr. W. R. Bryan	1978	13	Government
Mr. G. P. Duffy	1978	11	Government
Mr. M. King	1980	2	Government
Mr. T. McAteer	1983	6	Government
Mr. J. L. O'Hagan, OBE	1983	8	Government
Mr. E. Gaynor	1986	5	Government
Mr. E. Haughey	1986	5	Government
Mr. J. Wright	1986	5	Government
Mr. H. Armstrong	1989	2	Government
Mr. S. Fearon	1989	2	Government
Miss H. Rolston	1989	2	Government

The lists include all persons who have served since 1979 although in some cases the date of appointment is earlier.

Refuse Collection

Rev. William McCrea: To ask the Secretary of State for Northern Ireland what is the latest estimate of local authority spending on refuse collection in each of the district councils.

Mr. Needham: The information, which also includes the estimated cost of refuse disposal because figures are not recorded separately, is set out in the table:

Estimate of Local Authority spending on Refuse Collection and disposal—1990-91

Council	Amount £
Antrim	980,794
Ards	767,700
Armagh	569,000
Ballymena	664,720
Ballymoney	215,271
Banbridge	393,697
Belfast	7,717,660
Carrickfergus	505,454
Castlereagh	812,874
Coleraine	601,752
Cookstown	412,150
Craigavon	1,088,279
Derry	1,566,300
Down	741,196
Dungannon	494,792
Fermanagh	534,460
Larne	621,015
Limavady	413,611
Lisburn	1,057,510
Magherafelt	423,453
Moyle	233,298
Newry and Mourne	831,044
Newtownabbey	1,214,582
North Down	1,296,035
Omagh	717,019
Strabane	411,245
Totals	25,284,911

Magherafelt Bypass

Rev. William McCrea: To ask the Secretary of State for Northern Ireland what is the commencement date of the Magherafelt bypass; when he expects the bypass to be completed; and at what cost.

Mr. Needham: There are no plans to build a bypass of Magherafelt within the foreseeable future.

Hospital Beds

Rev. William McCrea: To ask the Secretary of State for Northern Ireland how many beds have been closed in Northern Ireland hospitals in each of the past five years.

Mr. Hanley: This information is not available in the form requested. The information in the table shows the average number of available beds in Northern Ireland hospitals for 1985 to 1989-90.

Year	Total
1985	16,959
1986	15,962
1987	15,411
1988-89	14,686
1989-90	14,154

Over this period, the number of patients treated increased by 15 per cent. to 315,962. Considerable progress has also been made in providing long-stay patients with more appropriate forms of care in the community in line with the Government's policy of ensuring that people are cared for in a way which promotes their quality of life and provides them with the type of care best suited to their individual needs.

Claimants

Rev. William McCrea: To ask the Secretary of State for Northern Ireland for the monthly statistical periods since April 1990, if he will show the number of claimants in Mid-Ulster who had *(a)* been issued with warning letters for not actively seeking work, *(b)* had their claims referred to an adjudication officer for not actively seeking work, *(c)* had their claims (i) allowed and (ii) disallowed, *(d)* had their claims referred to an adjudication officer for refusing suitable employment and *(e)* been disqualified for refusing suitable employment.

Mr. Hanley: The information is not available in the form requested. The following information relates to claimants in the areas served by Cookstown, Omagh and Strabane social security offices. The office in Magherafelt was badly damaged as a result of a recent terrorist attack and records for the area are not immediately available.

Between April 1990 and January 1991 almost 2,000 unemployed claimants were interviewed specifically about their efforts to find work. As a result, three claims were

referred to the adjudication officer of which one was allowed and two were disallowed. No claims were referred for refusing suitable employment.

RUC Stations (Security)

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland if he will consider compensation for tenants and owner-occupiers of houses affected by security measures taken in relation to RUC stations.

Dr. Mawhinney: There is already provision in Article 18 of the Land Compensation (Northern Ireland) Order 1982 for the payment of compensation where property is injuriously affected by such measures. There is also provision in Article 4 of the Land Acquisition and Compensation (Northern Ireland) Order 1973 for the payment of compensation in respect of depreciation in an interest in property as a result of environmental and physical factors caused by security measures. Claims for such compensation should be made against the Police Authority for Northern Ireland.

In addition, there is provision under section 28 of the Northern Ireland (Emergency Provisions) Act 1978 for the payment of compensation by the Secretary of State where under the Act any real or personal property is taken, occupied, destroyed or damaged, or any other act is done interfering with private rights of property.

Traffic Volume, Newry

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many traffic volume surveys have been carried out by the Department of Environment at Canal street, New street, and the Armagh road in Newry in the past five years; and what were the results of each survey.

Mr. Needham: Five traffic volume surveys were carried out at Canal street, Newry and one each at New street and the Armagh road. The results of the surveys were:

Location	*Date*	*Total vehicles*
Canal street	2 June 1988	889
Canal street	2 November 1988	934
Canal street	8 February 1990	1,045
Canal street	10 April 1990	1,055
Canal street	30 October 1990	991
New street	30 October 1990	682
Armagh road	4 June 1987	940

Rural Development

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will give details of the developments arising from the report of the interdepartmental committee on rural development.

Mr. Brooke: The Inter-Departmental Committee on Rural Development reported in December 1990, and I was pleased to be able to announce on 15 February that Ministers had endorsed the broad thrust of the Committee's recommendations.

Accordingly, I have allocated ministerial and departmental responsibility for rural development to the agriculture portfolio and have asked that Department to take forward urgently the establishment of an advisory body and resource centre outside Government and under the management of a broad spectrum of rural interests. I am also establishing under the Department of Agriculture a small team of co-ordinators to integrate the responses from statutory agencies to locally developed regeneration plans.

A further statement giving more detail of the mechanisms and structures to be put in place to assist the process of rural development in the most deprived rural areas of Northern Ireland will be issued shortly.

Noise Insulation

Mr. Mallon: To ask the Secretary of State for Northern Ireland what assistance is available for the purposes of insulating homes against excessive noise in the vicinity of *(a)* motorways, *(b)* heavily trafficked roads, *(c)* civil airports, *(d)* low-flying zones and *(e)* military bases and installations; and in each case at what level of noise the assistance is made available.

Mr. Needham: No such assistance is currently available in the case of motorways, or heavily trafficked roads. In the case of civil airports the Department of the Environment for Northern Ireland may direct the operation of a civil airport to take measures to limit or mitigate the effect of noise from aircraft. Where it appears to the Department that these measures do not give adequate protection to nearby housing, the Department may, by order, make a scheme requiring the airport operator to make grants towards the cost of sound proofing the affected dwellings. Questions in relation to low-flying zones and military bases lie within the responsibility of my right hon. Friend the Secretary of State for Defence.

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many traffic noise surveys have been carried out by his Department in each of the last five years; and if he will give details of the results of such surveys.

Mr. Needham: Exercises to calculate the level of traffic noise have been undertaken at a number of locations in the past five years but the results of these studies are not readily available and could only be obtained at disproportionate cost.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will give details of the assistance available to householders who need to insulate their homes against noise pollution; and what conditions must be met to qualify for assistance.

Mr. Needham: No such assistance is available.

Mr. Mallon: To ask the Secretary of State for Northern Ireland what are the threshold noise levels above which his Department assesses there may be injurious effects on the health and welfare of individuals *(a)* at work and *(b)* at home.

Mr. Needham: The Noise at Work Regulations (Northern Ireland) 1990 provide for the protection of workers from exposure to noise at work.

Where any employee is likely to be exposed to a daily personal noise exposure of between 85 and 90 dB (A), the regulations require that the employee is provided with suitable and efficient personal ear protectors, but if the daily exposure is 90 dB (A) or above the employer is required to reduce, so far as is reasonably practicable, the exposure to noise other than by the provision of personal ear protectors.

No threshold noise levels are prescribed for determining injurious effects on the health and welfare of individuals at home.

EMPLOYMENT

Training and Enterprise Councils

Mr. Hinchliffe: To ask the Secretary of State for Employment what is the role of training and enterprise councils in combating long-term unemployment.

Mr. Jackson: The fundamental role of every training and enterprise council (TEC) is to contribute to the regeneration of the community it serves. This clearly includes help for the long-term unemployed.

Mr. Speller: To ask the Secretary of State for Employment if he will list those training agencies which have been downgraded or removed from the new list of licensed providers and approved trainers by the Devon and Cornwall TEC; and if he will list the successful groups and the criteria used in their assessment.

Mr. Jackson: Contractual arrangements with training providers are commercial in confidence and are the responsibility of the Devon and Cornwall TEC.

Mr. Speller: To ask the Secretary of State for Employment what meetings to discuss training policy were held between Devon TEC and the individual TABs in Devon before the announcement of the revised list of licensed providers and approved trainers.

Mr. Jackson: Negotiations with training providers are a matter for the Devon and Cornwall TEC.

Mr. Speller: To ask the Secretary of State for Employment what decisions have been made regarding licensed providers and approved trainers for Devon; and which TEC and TAB members were involved in the consultative process.

Mr. Jackson: Consultations with training providers and contractual arrangements are a matter for the Devon and Cornwall TEC.

Mr. Morgan: To ask the Secretary of State for Employment, pursant to his parliamentary answers of 18 February, *Official Report*, column 57, how many drafts of the South Glamorgan TEC corporate plan his Department received; and on what dates.

Mr. Jackson: My Department has received four draft plans. The first was received on 24 September 1990, the second on 2 November 1990, the third on 7 December 1990 and the fourth on 7 January 1991.

Mr. Speller: To ask the Secretary of State for Employment if he will list the chairmen of each training and enterprise council and TEC advisory board in Devon and Cornwall.

Mr. Jackson: The chairman of Devon and Cornwall TEC is Mr. Eric Dancer. Information on the chairmen of TEC sub-groups is not held centrally.

Expenditure (Regional Distribution)

Mr. Leighton: To ask the Secretary of State for Employment what procedures his Department has for keeping itself informed of the regional distribution of its expenditure; and whether it is his policy to correct any significant and unintended regional imbalances which appear.

Mr. Jackson: My Department uses a number of systems for keeping itself informed. Regional expenditure is monitored regularly and officials will either reallocate funds as appropriate within their responsibilities or will advise me of any redistribution which may be needed. I will decide on any adjustments to be made.

Retail Businesses

Mr. David Nicholson: To ask the Secretary of State for Employment if he will list in the *Official Report* the measures taken by Her Majesty's Government since June 1987 which are of assistance to small retail businesses.

Mr. Forth: There is a wide range of Government-supported assistance to small firms generally, including small retail businesses. This assistance includes free and widely available advice and business counselling, easily accessed training suitable for the widely varying circumstances of small firms, subsidised consultancy, help with finance and premises.

Specific measures taken of particular relevance to small retail businesses since June 1987 include:

reduction of small companies' corporation tax rate to 25 per cent. and increases in the relevant thresholds

major reductions in personal tax rates which have benefited unincorporated businesses

extension of capital gains tax retirement relief

substantial increases in personal pension contribution limits and simplication of pension rules

a package of measures to lighten VAT administration: cash accounting and annual accounting systems, and simpler schemes for small and medium sized retailers

revision of VAT registration thresholds to enable small businesses to stay out of the VAT net longer

improvement and simplication of the loan guarantee scheme

with effect from 1 April 1991, limiting of business rate increases for small business owners who live above the shop to 10 per cent. in real terms during the transitional period

establishment of the new training and enterprise councils, responsible among other things for activities designed to strengthen local economic growth

Noise

Mr. Mallon: To ask the Secretary of State for Employment what are the threshold noise levels above which there may be injurious effects on the health and welfare of individuals *(a)* at work and *(b)* at home.

Mr. Forth: The information requested is as follows:

(a) Noise at work

The Noise at Work Regulations 1989 set a daily personal noise exposure of 85 dB(A) as the first action level. This is a level of regular personal exposure which, over a period of years, may result in damage to hearing. There is a small but discernible risk of hearing damage from exposure levels below this.

Other health effects from noise exposures have been reported in scientific literature. The Health and Safety Executive has sponsored a review into the state of knowledge of these effects of noise and hopes to publish a report of the findings later this year.

For other effects on the welfare of people, the threshold will depend on the nature of the noise and the individual circumstances.

(b) Noise at home

Responsibility for noise in the home rests with my right hon. Friend, the Secretary of State for the Environment who has advised me that under the Environmental Protection Act 1990 local authorities in England and Wales are under a duty to take such steps as are reasonably practicable to investigate complaints of statutory nuisance. If noise emitted from premises of any category is considered to be prejudicial to health or a nuisance, local authorities are empowered to issue a notice requiring the abatement of the nuisance. Non-compliance without reasonable excuse is an offence. There is no fixed level of noise which constitutes a statutory nuisance; individual circumstances differ and each case needs to be judged on its merits by local authorities. Factors to be taken into account include loudness, frequency and duration of the noise.

Redundant Mineworkers

Mr. Hinchliffe: To ask the Secretary of State for Employment how many individuals covered by the redundant mineworkers pension scheme have left the Wakefield and Dewsbury travel-to-work area unemployment register since the commencement of this scheme.

Mr. Jackson: Questions on operational matters in the Employment Service Executive Agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Tameside

Mr. Pendry: To ask the Secretary of State for Employment what measures he intends to take to improve employment prospects in Tameside; and if he will make a statement.

Mr. Jackson: My Department, the employment service, and the training and enterprise councils operate a range of employment, enterprise and training programmes designed to improve the employment prospects of the unemployed. These measures are available in Tameside as elsewhere.

The employment service is expanding the help available through job clubs; and also has in place a five-point job help package, which provides comprehensive counselling and advice for the unemployed.

In the period April 1990 to January 1991, in the Manchester East employment service area, over 23,600 unemployed people had the benefit of a Restart interview and almost 900 were helped to find employment through attendance at job clubs.

Mr. Pendry: To ask the Secretary of State for Employment what action he intends to take to improve training opportunities in Tameside.

Mr. Jackson: My right hon. and learned Friend has recently contracted with Manchester TEC to provide training and enterprise opportunities in the Tameside area. Manchester TEC is working closely with the local authority in Tameside both through the TEC consultative group and by working with the local authority on its own economic development strategy.

HEALTH

Population Statistics

Mr. Fraser: To ask the Secretary of State for Health what is the adult population of Great Britain.

Mr. Dorrell: The estimated resident population of Great Britain aged 18 years and over as at 30 June 1989, the latest date for which figures are available, was 42·97 million.

Drug Dispensing

Sir Neil Macfarlane: To ask the Secretary of State for Health if he will list all the professional organisations and associations which have declared support for original pack dispensing; and if he will make a statement.

Mrs. Virginia Bottomley: We consulted more than 40 organisations representing the interests of the medical and pharmaceutical professions on the report and recommendations of the joint sub-committee. Widely conflicting views on the benefits of original pack dispensing were received. Whilst most supported the principle, all had reservations about the details of implementation.

Sir Neil Macfarlane: To ask the Secretary of State for Health if he intends to implement the recommendation of the joint standing committee on original drug pack dispensing that pharmacists should invariably dispense drugs in whole numbers of original packs; and if he will make a statement.

Mrs. Virginia Bottomley: A formal consultation exercise is needed for changes to orders under the Medicines Act 1968, section 129(6). Consultations following the report of the Sub-Committee appointed by the Standing Medical, Nursing and Midwifery and Pharmaceutical Advisory Committees to consider original pack dispensing, suggest that agreement on such changes would be difficult to achieve. We intend to institute a new round of consultation with the medical and pharmaceutical professions and the pharmaceutical industry shortly.

Sir Neil Macfarlane: To ask the Secretary of State for Health what steps he has taken to assure himself that patients' interests are safeguarded when pharmaceuticals are dispensed from bulk packs; and what information he has on the extent to which the absence of manufacturers' details has caused risk of contamination or error.

Mrs. Virginia Bottomley: The British National Formulary shows the cautionary and advisory labels that pharmacists are recommended to apply to containers. These include all the information required by the prescriber and necessary for the patient. Dispensing from bulk packs into smaller packs is supervised by pharmacists to ensure that the patient receives the exact quantity the doctor has prescribed.

Female Circumcision

Mrs. Roe: To ask the Secretary of State for Health what evidence he has on the number of illegal female circumcisions that have taken place in the United Kingdom since 1985; what action he has taken to prevent this practice; and if he will make a statement.

Mrs. Virginia Bottomley: Since the passage of the Prohibition of Female Circumcision Act 1985, which the hon. Member introduced, any female circumcision which took place in the United Kingdom would be illegal. I understand that there have been no prosecutions under the Act. The Act, which was supported by the Government, was intended to prevent the practice. In addition, the Department gives financial assistance to organisations which work to educate and inform the relevant ethnic communities in this country.

Social Work

Mr. Hinchliffe: To ask the Secretary of State for Health what steps he has taken to satisfy himself that the Central Council for Education and Training in Social Work has sufficient staffing resources to process diploma in social work course submissions in accordance with its own published timetables.

Mrs. Virginia Bottomley: We are satisfied that the Central Council for Education and Training in Social Work (CCETSW) has adequate resources to fulfil its statutory remit under Section 10 of the Health and Social Services and Social Security Adjudication Act 1983. CCETSW's annual budget from the Department has increased from £16 million in 1989-90 to almost £23·5 million in 1991-92.

Mr. Hinchliffe: To ask the Secretary of State for Health if he will take steps to introduce an appeal mechanism against decisions by the Central Council for Education and Training in Social Work on submissions for courses for diplomas in social work.

Mrs. Virginia Bottomley: Within the procedures for the course approvals there already exists an explicit appeal mechanism to enable programme providers to appeal against any refusal by the Central Council for Education and Training in Social Work to approve a DipSW programme.

Mr. Hinchliffe: To ask the Secretary of State for Health if common criteria are being applied in the evaluation of all submissions for diploma in social work courses.

Mrs. Virginia Bottomley: Approval of programmes of study for the diploma in social work is the responsibility of the Central Council for Education and Training in Social Work (CCETSW) and all decisions are based on training rules, approved by the Privy Council, and detailed guidelines which were published as CCETSW paper 30, a copy of which is available in the Library.

Medical Practitioners

60. **Sir Geoffrey Finsberg:** To ask the Secretary of State for Health how many full-time medical practitioners are in post in his Department: and what was the corresponding figure for 1980.

Mr. Dorrell: The number of full-time medical practitioners in post in the Department as at 1 February 1991 was 111. At 1 February 1980 there were 125.

Hip Operations

Mr. Pawsey: To ask the Secretary of State for Health which district health authority has the shortest waiting list for hip operations.

Mrs. Virginia Bottomley: The information requested is not available centrally. Waiting list information is collected according to the specialty of intended treatment, not by specific diagnosis or methods of intended treatment.

Cash Limits

Mr. Favell: To ask the Secretary of State for Health whether any changes will be made to the cash limits and running cost limits of his Department in 1990-91.

Mr. Waldegrave *[pursuant to the answer 1 February 1991, col. 683]:* Subject to parliamentary approval of the necessary revised Supplementary Estimates, the following changes will be made:

The cash limit for class XIII vote 1 (hospital and community health services, family health services (part) and other services, England) will be increased by £14,504,000 from £14,193,539,000 to £14,208,043,000. This increase represents expenditure incurred by health authorities in preparation for the contingency of treating military casualties from operations in the Gulf (£9·504 million) and a transfer of resources from class XIII, vote 3 to offset partially lower than expected land sales receipts by health authorities (£5 million).

The cash limit for class XIII, vote 3 (Department of Health administration, miscellaneous health services and personal social services, England) will be reduced by £5,000,000 from £734,508,000 to £729,508,000. This provides for the transfer of resources to class XIII, vote 1, noted earlier. The Department's running cost limit remains unchanged at £197,693,000.

The increase is within the forecast outturn for the planning total published in the statistical supplement to the 1990 autumn statement.

TRANSPORT

British Rail (Investment)

Mr. Channon: To ask the Secretary of State for Transport what are the main investment proposals by British Rail that he has approved for 1991-92 and subsequent years.

Mr. Freeman: We have approved the following specific major British Rail investment schemes which are expected to come into service in 1991-92 and subsequent years:

Network SouthEast

- 48 coaches for south London suburban services out of Victoria and Charing Cross.
- 400 coaches for south London and north Kent inner suburban services out of Victoria/Charing Cross/Cannon Street/St. Paul's to Sevenoaks/Orpington/Hayes/Gillingham.
- 180 coaches for Marylebone-Aylesbury/Banbury and Paddington-Oxford.
- 69 coaches for Waterloo-Exeter line.
- 20 coaches for Waterloo-City line.
- Cambridge-King's Lynn electrification.
- Various infrastructure works such as platform extensions for the inner suburban Networker programme.

Freight

- 100 diesel locomotives.
- 700 container carrying wagons.

InterCity

- InterCity east coast main line electrification, 31 locomotives and 314 coaches.

Channel tunnel

30 high speed passenger trains.
30 electric freight locomotives.
Waterloo terminal; Tonbridge-Redhill electrification; other track and signalling improvements.

Regional railways

334 diesel coaches for inter-urban express routes.
111 electric coaches for commuter services in Birmingham and Lancashire.
Leeds-Bradford electrification including the commuter lines from Skipton and Ilkley to Leeds.
Birmingham cross-city line electrification.
Manchester airport link; new line to airport.
Hooton-Chester electrification; extension of commuter services.

Rail Electrification

Mr. Galbraith: To ask the Secretary of State for Transport, pursuant to his answer of 1 February, *Official Report*, column *699*, if he will give the total rail length and percentage electrified for each country in Europe, and for Japan, and the USSR.

Mr. Freeman: The UICC's International Railway Statistics 1988 gives the following figures:

	Total route Kms	*Electrified route as per cent of total*
Austria	5,630	57
Belgium	3,554	64
Bulgaria	4,300	60
Czechoslovakia	13,104	29
Denmark	2,476	9
Finland	5,884	28
France	34,564	35
Germany	41,308	37
Great Britain	16,599	26
Greece	2,479	0
Hungary	7,614	27
Ireland (Northern)	n.a.	n.a.
Ireland (Republic)	1944	2
Italy	16,013	58
Japan	21,270	52
Luxembourg	272	60
Netherlands	2,828	69
Norway	4,174	58
Poland	26,545	40
Portugal	3,608	13
Rumania	n.a.	n.a.
Spain	12,550	50
Sweden	11.076	63
Switzerland	2,990	99
USSR	244,000	22
Yugoslavia	9,349	40

Road Fund Licence Concession

Mr. Allen: To ask the Secretary of State for Transport what would be the current cost of extending the road fund licence concession to those who are made immobile after their 66 birthday.

Mr. Chope: I regret the information is not available. There is no record of the number of people who have become immobile after reaching the age of 66.

Green Issues

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Transport who in his Department has been appointed to oversee and develop green issues; how many civil servants have been allocated new or additional responsibilities to deal with the management and development of green issues; and what additional allocation of resources has been made to support programmes related to green issues in his Department.

Mr. McLoughlin: The Secretary of State oversees the development of policies on environmental matters in transport. In 1989 the Department set up a transport policy unit; one key objective for the unit was to co-ordinate policy advice on environmental issues, including the follow-up to the Environment White Paper. The unit reports to a steering group chaired by the permanent secretary and has a staff of 10. Environmental issues have long concerned the Department and resources have been allocated to tackling environmental problems by such means as vehicle regulation and the better design of roads. The total manpower and resources used to support environmental aspects of transport policies and programmes cannot be separately identified.

Air Freight

Mr. Cox: To ask the Secretary of State for Transport what discussion he is having with officials of British Airways to encourage them to send freight to the continent by air rather by road.

Mr. McLoughlin: None.

Noise Insulation

Mr. Mallon: To ask the Secretary of State for Transport what assistance is available for the purposes of insulating homes against excessive noise in the vicinity of *(a)* motorways, *(b)* heavily trafficked roads, *(c)* civil airports; and in each case at what level of noise the assistance is made available.

Mr. Chope: Secondary glazing or grant is made available in England and Wales under the Noise Insulation Regulations (1975-88) in respect of eligible dwellings affected by new or altered roads but not for unaltered roads. For new roads the noise criterion is that the estimated noise level, within 15 years after road opening, will be at least 68 decibels on the A-weighted L_{10} (18 hour) scale. Similar provisions apply on a discretionary basis for altered roads.

There is a statutory requirement for the principal London airports to provide sound insulation to surrounding homes within a specified boundary—equivalent to the provision for roads. Elsewhere insulation is discretionary but all the major airports (which are largely owned by local authorities) run similar schemes.

Mr. Mallon: To ask the Secretary of State for Transport how many traffic noise surveys have been carried out by his Department in each of the last five years; and if he will give details of the results of such surveys.

Mr. Chope: Noise surveys carried out by my Department in the last five years, commencing 1 April 1986, in association with road proposals, are estimated as follows:

	Number
1986-87	47
1987-88	49
1988-89	41
1989-90	40
1990-91	47

The surveys are generally carried out in order to plan the optimum scheme design, at reasonable cost, to avoid unnecessary environmental impact and, specifically, to ascertain those properties that will be eligible for noise insulation or grant. Those properties eligible in accordance with the Noise Insulation Regulations 1975/88 are notified individually, publicly displayed, and appeals against ineligibility are invited.

Cannon Street Rail Crash

Ms. Harman: To ask the Secretary of State for Transport if he will include the performance of the London ambulance service in his Department's inquiry into the Cannon street rail crash.

Mr. Freeman: The deputy chief inspecting officer of railways, who is conducting the inquiry, expects to hear evidence from each of the emergency services.

FOREIGN AND COMMONWEALTH AFFAIRS

Soviet Union

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet Government in respect of Yan Satanovsky of Moscow who has been unsuccessfully applying to leave the Soviet Union.

Mr. Douglas Hogg: We can certainly raise this case with the Soviet authorities, but in order to make our representations most effective we shall need further details.

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Soviet Government by Alexander Safyan, Solomon Smolyar and Bratislava Shtibina of Leningrad who have been unsuccessfully applying to leave the Soviet Union.

Mr. Douglas Hogg: We can certainly raise these cases with the Soviet authorities, but in order to make our representations most effective we shall need further details.

Founding Treaties

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek to amend the founding treaties of the European Community so that they refer to residents as opposed to nationals.

Mr. Douglas Hogg: No proposal on these lines has been tabled in the political union inter-governmental conference. We do not intend to table one ourselves.

Israel

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the numbers killed by military action in the areas administered by the Israeli Government, including Israel, setting out whether the victims are Arab or Israeli and by whose military forces they have been killed; and if he will make a statement.

Mr. Douglas Hogg: We estimate that 11 Palestinians have been killed by the Israeli defence forces in the Occupied Territories this year and none in Israel. According to the Israeli Government, two Israelis have died as a direct result of Iraqi missile attacks, and a further 11 as an indirect result.

Occupied Territories

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the number of Palestinians that have been prevented from returning to the occupied territories since the commencement of the Gulf war; and if he will make a statement.

Mr. Douglas Hogg: According to the Jordanian figures, some 2,000 of the Palestinians trying to return to the West Bank since 16 January have been prevented from doing so. We have raised the issue with the Israelis and expressed the hope that the normal pattern of crossings will soon be restored.

Kuwait

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration is being given to the imposition of conditions on the Kuwaiti Government concerning human rights, democracy and the Palestinians in return for continuing protection subsequent to the cessation of hostilities.

Mr. Douglas Hogg: It is not for us to prescribe how Kuwait should be governed. We welcome the Kuwaiti Crown Prince's public reiteration on 13 and 20 February of his Government's commitment to popular participation and its adherence to the 1962 constitution, including new elections for the national assembly after Kuwait's liberation.

SCOTLAND

Housing

Mr. McMaster: To ask the Secretary of State for Scotland if he will publish a table showing the amount of public expenditure on public sector housing, excluding Scottish Homes, its predecessor and housing associations, in Scotland in each year since 1979, and the contribution made by central Government.

Lord James Douglas-Hamilton: The table sets out public expenditure (including expenditure funded by receipts) and the central Government contribution in respect of local authority and new towns housing since 1979-80:

£ million

	Public expenditure (including expenditure funded by receipts)[1]	*Central Government contribution*[2]
1979-80	503·0	487·6
1980-81	532·7	505·0
1981-82	467·8	406·4
1982-83	421·2	305·0
1983-84	433·6	266·9
1984-85	379·3	225·1
1985-86	421·1	275·2
1986-87	449·7	292·3
1987-88	557·9	337·5
1988-89	584·9	268·9
1989-90	623·6	255·2
[3]1990-91	603·6	285·4

[1] Gross capital allocations, housing support grant, and new towns deficit grant.

[2] Expenditure directly provided or controlled by central Government: net capital allocations, housing support grant and new towns deficit grant.
[3] Estimated outturn.

Development Agencies

Mr. McMaster: To ask the Secretary of State for Scotland what contribution the Government made to *(a)* Renfrew Development Company and *(b)* Paisley and Renfrew Enterprise Trust in each of the financial years since they were established; and if he will make a statement.

Mr. Allan Stewart: Government support for Renfrew Development Company and Paisley and Renfrew Enterprise Trust is channelled through the Scottish Development Agency. The financial support for the years in question was as follows:

Renfrew Development Co.
(November 1987-January 1991 inclusive)

Actual spend	£	Support programmes £000	Core funding £000
1987-88	13,390	13	—
1988-89	66,880	22	45
1989-90	203,400	159	45
1990-91	128,000	83	45
Total	411,670	277	135

Paisley and Renfrew Enterprise Trust
(February 1986—January 1991)

	Core funding £000
1985-86	0
1986-87	23
1987-88	9
1988-89	35
1989-90	31
1990-91	35
Total	133

Exports

Mr. Wray: To ask the Secretary of State for Scotland if he will list for each year since 1985, *(a)* the agricultural and *(b)* the manufacturing goods exported from Scotland to each of the countries in the (i) Gulf region and (ii) the Maghreb and their value in 1990 moneys.

Mr. Allan Stewart: There is no information available on the specific goods exported from Scotland to the Gulf region and Maghreb.

There is no information available on Scottish agricultural exports. Information on Scottish manufacturing exports comes from the annual surveys conducted by the Scottish Council (Development and Industry). Information for the years 1985 to 1989 on the value of Scottish manufacturing exports (at both current and 1990 prices) for each of the states in the Gulf region are given in the tables below.

The Scottish Council survey for the years 1985-86 does not include estimates of Scottish manufacturing exports to the Maghreb region. However, exports to Libya were £11 million in 1985 and 1989 and less that £10 million in 1986-88 (current prices). Exports to the other Maghreb countries between 1985-89 were too small to be recorded separately.

Scottish manufacturing exports to the Gulf states
£ million, current prices

Country	1985	1986	1987	1988	1989
Saudi Arabia	52	22	25	34	36
United Arab Emirates	25	23	14	22	19
Iran	42	24	15	12	[1](—)
Iraq	15	18	10	16	28
Gulf States[2]	134	87	64	84	83

Scottish manufacturing exports to the Gulf states
£ million, 1990 prices

Country	1985	1986	1987	1988	1989
Saudi Arabia	66	27	29	38	38
United Arab Emirates	32	28	16	24	20
Iran	53	29	17	13	[1](—)
Iraq	19	22	12	18	30
Gulf States[2]	170	106	74	93	88

[1](—) Denotes exports of less than £10 million (current prices).
[2] Excludes exports to the other Gulf states (Kuwait, Oman, North Yemen, South Yemen, Qatar and Bahrain) whose exports are individually less than £10 million (current prices).

Health Boards (Capital Charges)

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give the capital charges for each health board in Scotland.

Mr. Michael Forsyth: The capital charging system does not commence until 1 April 1991. Health boards have, however, submitted forecasts of their likely capital charges for 1991-92, as shown in the table below. Actual capital charges for the year will be included in boards' annual accounts. Each board is receiving full reimbursement for its capital charges in 1991-92, so that the introduction of capital charging in that year will be entirely neutral in funding terms.

Health Board	£ million
Argyll and Clyde	25·6
Ayr and Arran	18·0
Borders	6·8
Dumfries and Galloway	9·3
Fife	20·0
Forth Valley	17·8
Grampian	30·0
Greater Glasgow	91·6
Highland	14·6
Lanarkshire	24·2
Lothian	58·1
Orkney	1·0
Shetland	1·3
Tayside	36·0
Western Isles	1·2
Total	355·5

Nurses

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give, as from 1 January, for each health board in Scotland *(a)* the number of nurses employed as (i) nursing assistants, (ii) enrolled nurses, (iii) staff nurses and (iv) charge nurses and *(b)* the grades in absolute and percentage terms at which the nurses are employed in each category.

Mr. Michael Forsyth: The latest information available centrally for the number of nurses employed at 30 September 1990 for each health board in Scotland, by qualification and grade, is as follows:

Selected nursing staff groups by grade whole time equivalent at September 1990[1]

Whole time equivalent

Selected staff groups	*Scotland*	*Percentage*	*CSA*	*Percentage*	*Argyll and Clyde*	*Percentage*	*Ayrshire and Arran*	*Percentage*
Auxillaries	10,816	—	139	—	962	—	629	—
Scale A	10,333	95·5	115	83·2	939	97·6	563	89·6
Scale B	483	4·5	23	16·8	23	2·4	66	10·4
Scale C	1	00·0	0	00·0	0	00·0	0	00·0
Assistants	5,845	—	0	—	543	—	326	—
Scale A	5,063	86·6	0	—	521	95·9	273	83·5
Scale B	780	13·4	0	—	22	4·1	54	16·5
Scale B	780	13·4	0	—	22	4·1	54	16·5
Scale C	1	00·0	0	—	0	00·0	0	00·0
Enrolled Nurses	9,389	—	13	—	652	—	440	—
Grade C	3,009	32·0	13	100·0	231	35·4	167	38·0
Grade D	5,833	62·1	0	00·0	404	61·9	272	61·8
Grade E	547	5·8	0	00·0	18	2·7	1	0·2
Staff Nurses	13,368	—	3	—	769	—	962	—
Grade D	2,794	20·9	0	00·0	180	23·4	166	17·3
Grade E	9,650	72·2	3	100·0	511	66·4	560	58·2
Grade F	924	6·9	0	00·0	78	10·1	236	24·6
Ward Sisters/Charge Nurses	5,955	—	4	—	560	—	222	—
Grade F	1,267	21·3	1	18·9	155	27·6	12	5·6
Grade G	4,507	75·7	2	54·1	381	68·1	210	94·4
Grade H	182	3·1	1	27·0	24	4·3	0	00·0

[1] Provisional.

Whole time equivalent

Selected staff groups	*Borders*	*Percentage*	*Dumfries and Galloway*	*Percentage*	*Fife*	*Percentage*	*Forth Valley*	*Percentage*
Auxiliaries	215	—	346	—	492	—	574	—
Scale A	213	99·1	307	88·9	464	94·3	538	93·7
Scale B	2	0·9	38	11·1	28	5·7	36	6·3
Scale C	0	00·0	0	00·0	0	00·0	0	00·0
Assistants	106	—	185	—	359	—	598	—
Scale A	92	86·9	180	97·5	205	57·1	512	85·6
Scale B	14	13·1	5	2·5	154	42·9	86	14·4
Scale C	0	00·0	0	00·0	0	00·0	0	00·0
Enrolled Nurses	153	—	231	—	700	—	598	—
Grade C	72	47·4	57	24·5	225	32·1	132	22·1
Grade D	79	51·5	164	71·0	425	60·7	449	75·1
Grade E	1	0·7	10	4·5	50	7·1	17	2·8
Staff Nurses	236	—	458	—	704	—	767	—
Grade D	34	14·6	118	25·8	106	15·0	157	20·5
Grade E	182	77·0	270	58·9	583	82·8	598	77·9
Grade F	20	8·5	70	15·3	15	2·2	12	1·6
Ward Sisters/Charge Nurses	130	—	154	—	280	—	320	—
Grade F	64	49·4	30	19·5	36	12·8	46	14·3
Grade G	65	49·8	116	75·3	241	86·2	255	79·6
Grade H	1	0·8	8	5·2	3	1·0	20	6·1

Whole time equivalent

Selected staff groups	*Grampian*	*Percentage*	*Greater Glasgow*	*Percentage*	*Highland*	*Percentage*	*Lanarkshire*	*Percentage*
Auxiliaries	1,085	—	2,660	—	348	—	779	—
Scale A	1,055	97·2	2,535	95·3	345	99·2	754	96·9
Scale B	30	2·8	125	4·7	3	0·8	25	3·1
Scale C	0	00·0	0	00·0	0	00·0	0	00·0
Assistants	532	—	1,241	—	201	—	499	—
Scale A	487	91·6	1,147	92·4	172	85·4	456	91·3
Scale B	45	8·4	94	7·6	28	14·1	43	8·7

Selected staff groups	Grampian	Percentage	Greater Glasgow	Percentage	Highland	Percentage	Lanarkshire	Percentage
Scale C	0	00·0	0	00·0	1	00·5	0	00·0
Enrolled Nurses	1,083	—	1,810	—	308	—	1,082	—
Scale C	406	37·5	462	25·5	41	13·3	430	39·8
Scale D	616	56·9	1,317	72·8	162	52·6	570	52·7
Scale E	61	5·6	31	1·7	105	34·1	81	7·5
Staff Nurses	1,264	—	2,977	—	593	—	1,086	—
Scale D	465	36·8	650	21·8	96	16·3	175	16·1
Scale E	717	56·7	2,272	76·3	425	71·6	900	82·8
Scale F	82	6·5	55	1·8	72	12·1	11	1·0
Ward Sisters/Charge Nurses	514	—	1,562	—	193	—	472	—
Scale F	97	18·9	402	25·7	51	26·1	91	19·2
Scale G	400	77·8	1,110	71·1	141	72·8	374	79·1
Scale H	17	3·3	50	3·2	2	1·0	8	1·7

Whole time equivalent

Selected staff groups	Lothian	Per cent.	Orkneys	Per cent.	Shetland	Per cent.	Tayside	Per cent.	Western Isles	Per cent.
Auxiliaries	1,469	—	45	—	46	—	961	—	68	—
Scale A	1,407	95·8	39	86·3	45	97·0	949	98·7	65	95·3
Scale B	62	4·2	6	13·7	1	3·0	12	1·3	3	4·7
Scale C	1	00·0	0	00·0	0	00·0	0	00·0	0	00·0
Assistants	718	—	0	—	0	—	536	—	0	—
Scale A	572	79·7	0	—	0	—	446	—	0	—
Scale B	146	20·3	0	—	0	—	90	—	0	—
Scale C	0	00·0	0	—	0	—	0	—	0	—
Enrolled Nurses	1,162	—	75	—	51	—	993	—	40	—
Grade C	257	22·1	35	47·2	45	88·6	414	41·6	22	55·7
Grade D	801	68·9	24	32·2	5	9·4	528	53·2	18	44·3
Grade E	105	9·0	15	20·5	1	2·0	52	5·2	0	00·0
Staff Nurses	2,101	—	22	—	44	—	1,311	—	70	—
Grade D	335	15·9	5	24·1	12	28·4	284	21·7	10	13·6
Grade E	1,609	76·5	5	20·5	19	43·8	940	71·6	57	81·3
Grade F	157	7·5	12	55·4	12	27·8	88	6·7	4	5·1
Ward Sisters/Charge Nurses	890	—	18	—	17	—	595	—	24	—
Grade F	149	16·7	1	3·3	0	00·0	133	22·3	2	6·2
Grade G	715	80·4	17	91·3	15	88·5	444	74·6	22	89·7
Grade H	26	2·5	1	5·5	2	11·5	19	3·1	1	4·1

Health Boards

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for the last three years the attendance record at health board meetings for all the members reappointed as from 1 April.

Mr. Michael Forsyth: This information is not held centrally.

Self-governing Schools

Mr. McAllion: To ask the Secretary of State for Scotland (1) what was the cost of the Scottish Office publication "How to Become a Self-Governing School—Guidance for School Boards"; and from which budget this cost was met;

(2) if any school boards in Scotland requested the Scottish Office to send them copies of the Scottish Office publication "How to Become a Self-Governing School—Guidance for School Boards";

(3) how many copies were printed of the Scottish Office publication "How to Become a Self-Governing School—Guidance for School Boards"; and to whom those copies were distributed;

(4) whether the Scottish Office publication "How to Become a Self-Governing School—Guidance for School Boards" was sent to all Scottish school boards unsolicited.

Mr. Michael Forsyth: The booklet, "How to Become a Self-Governing School," gives guidance to school boards on statutory procedures. Copies were therefore issued to all school boards. Copies, for information, were also sent to chief executives of regional and islands councils and to directors of education. In all, 12,000 copies of the guidance were printed at a cost of £12,510, which was part of planned expenditure for 1990-91 on self-governing schools.

AGRICULTURE, FISHERIES AND FOOD

Fur Farmers

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is his policy on offering free veterinary and nutritional advice to fur farmers; and on how many occasions in each of the last five years this advice has been sought.

Mr. Maclean: Welfare advice is provided free by the state veterinary service, but I would expect a farmer to obtain advice from his private veterinary surgeon on detailed matters such as the treatment of individual sick animals. Advice on nutrition is available on a chargeable basis from ADAS.

Information on the number of times advice has been provided in the last five years could be obtained only at disproportionate cost.

Mink Farms

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many licences were issued for mink farms for each county of England and Wales for each of the last five years.

Mr. Maclean: This information is available only for the last three years. No licences have been issued for mink farms during this period in Wales. Details are as follows:

England	*As at 31 March 1989*	*As at 20 February 1990*	*As at 20 February 1991*
Northern	*16*	*13*	*6*
Humberside	2	2	2
Northumberland	1	1	1
North Yorkshire	1	1	—
South Yorkshire	1	1	1
West Yorkshire	11	8	2
Midlands and West	*18*	*15*	*11*
Cheshire	2	1	1
Lancashire	14	12	9
Staffordshire	1	1	1
Greater Manchester	1	1	—
Eastern	*7*	*7*	*4*
Hertfordshire	1	1	—
Lincolnshire	1	1	—
Norfolk	1	1	1
Suffolk	4	4	3
South Eastern	*5*	*4*	*2*
Buckinghamshire	1	1	—
Hampshire	2	2	1
Isle of Wight	1	1	1
West Sussex	1	—	—
South Western	*6*	*4*	*2*
Cornwall	2	2	1
Dorset	1	1	1
Gloucestershire	1	—	—
Wiltshire	2	1	—
Total	52	43	25

Animal Welfare

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what progress he can report on negotiation within the European Council towards a single standard of animal health and welfare, particularly in respect of the production of eggs, pigmeat and veal.

Mr. Maclean: Following pressure from my right hon. Friend the Minister, the Agriculture Council agreed this month to resume discussions as soon as possible on proposals for minimum welfare standards for pigs and calves. Further proposals are expected on the welfare of hens following the Commission's review of the existing battery hens directive. We are continuing to press for Community measures to control salmonella in poultry flocks.

Animal Transport

Mr. Harry Greenway: To ask the Minister of Agriculture, Fisheries and Food how many inspectors are responsible for enforcing transport regulations in the United Kingdom and overseas for live animals; and if he will make a statement.

Mr. Gummer *[holding reply 21 February 1991]:* Details of numbers of inspectors employed on this work, which in this country is largely the responsibility of local authorities, could be obtained only at disproportionate cost.

DEFENCE

Submarine Incident

Ms. Walley: To ask the Secretary of State for Defence if he will give full details of the incident involving a fishing vessel and a submarine which took place on 13 February; and if he will make a statement.

Mr. Archie Hamilton: At approximately 0930 on 13 February, a fishing vessel in the Firth of Clyde reported being passed by a submarine at periscope depth at an estimated distance of 100 yards. Following usual practice, this report has been fully investigated and it has been established that the closest approach made by the submarine in question was 1,500 yards. Notification of dived submarine operations in the area had been broadcast, in accordance with recently established practice.

Admiralty Research Establishment

Ms. Walley: To ask the Secretary of State for Defence when he now expects to approve the pinger designs currently being tested by the Admiralty Research Establishment.

Mr. Archie Hamilton: It is hoped to undertake further trials of prototype pinger devices in late March or early April. Design specifications for possible commercially produced devices will be issued on completion of these trials.

Crown Immunity

Mr. Viggers: To ask the Secretary of State for Defence if he will now give further consideration to the setting up of an ex gratia compensation scheme to assist armed forces personnel who suffered loss or injury but who were prevented from taking legal action against the Crown by virtue of section 10 of the Crown Proceedings Act 1949 when it was in force.

Mr. Archie Hamilton: No.

Nuclear Test Veterans

Mr. McMaster: To ask the Secretary of State for Defence how many cases of leukaemia, other than chronic lympocytic leukaemia, and of multiple myeloma have been diagnosed amongst veterans of British nuclear tests since the publication of the National Radiological Protection Board report in 1988.

Mr. Archie Hamilton: The information requested is not held by the Ministry of Defence and could be obtained only at disproportionate cost.

Mr. McMaster: To ask the Secretary of State for Defence if he has any plans to review the claims for compensation by veterans of British nuclear tests.

Mr. Archie Hamilton: The Government's policy is based on the National Radiological Protection Board's (NRPB) report, published in January 1988, which did not establish a causal link between participation in the test programme and cancer.

A follow-up study by the NRPB, to include data accumulated since 1 Janaury 1984—the cut-off date of the previous study, has been commissioned by the Government and is due to be published next year.

We have no plans to review the nuclear test veterans' compensation claims.

Mr. McMaster: To ask the Secretary of State for Defence when the Ministry of Defence first received representations from the British Nuclear Test Veterans Association; what it has done to assist the British Nuclear Test Veterans Association since that time; and if he will make a statement.

Mr. Archie Hamilton: The Ministry of Defence first received representations from the British Nuclear Test Veterans Association in 1983. Subsequent dealings with the association have involved correspondence and a meeting in which Ministers and officials heard the Association's case and explained the Government's view of it.

Mr. McMaster: To ask the Secretary of State for Defence when he last met representatives from the British Nuclear Test Veterans Association; and if he will make a statement.

Mr. Archie Hamilton: The British Nuclear Test Veterans Association met my noble Friend the then Minister of State for Defence Procurement on 4 July 1989.

Operation Desert Storm

Sir Eldon Griffiths: To ask the Secretary of State for Defence what steps he has taken to satisfy himself that the supply of sunglasses to troops serving in Operation Desert Storm is adequate.

Mr. Archie Hamilton: I refer my hon. Friend to the answer that I gave him on 21 February. The requirement for further supplies is kept under constant review.

Decommissioned Ships

Mr. Sayeed: To ask the Secretary of State for Defence what were the operational peacetime tasks of HMS Cormorant and HMS Hart; and how those tasks will be carried out after the decommissioning of those ships.

Mr. Archie Hamilton: HM ships Cormorant and Hart are search and rescue craft based in Gibraltar. When they are paid off it is planned that they will be replaced by two of the Archer class craft, HMS Ranger and HMS Trumpeter.

Noise Insulation

Mr. Mallon: To ask the Secretary of State for Defence what assistance is available for the purposes of insulating homes against excessive noise in the vicinity of *(a)* low-flying zones and *(b)* military bases and installations; and in each case at what level of noise the assistance is made available.

Mr. Archie Hamilton: No grant assistance is available for the sound insulation of properties subject to noise from low-flying fixed or rotary wing aircraft. Noise insulation grant schemes around military airfields and helicopter landing sites provide for the installation of acoustic secondary double glazing at homes subject to the qualifying noise level of 70dB(A) averaged over a 12-hour period.

In addition, where a significant amount of night flying takes place (more than 20 movements per night regularly) the boundary of the scheme is extended to include dwellings subject to recurring maximum noise levels of 82dB(A) or greater.

"Options for Change"

Mr. O'Neill: To ask the Secretary of State for Defence whether he will place in the Library copies of all press releases issued by his Department relating to the "Options for Change" study.

Mr. Archie Hamilton: Press releases issued by this Department are available in the Library, where they are routinely provided through the Central Office of Information.

Mr. O'Neill: To ask the Secretary of State for Defence what alterations have occurred to either operational or procurement policy that have resulted from work carried out as part of the "Options for Change" study.

Mr. Archie Hamilton: As my right hon. Friend the Secretary of State indicated on 21 January 1991 at column 103, we are continuing to study the proposals announced last July, including the implications for our future equipment needs.

Scottish Regiments

Mr. Foulkes: To ask the Secretary of State for Defence what proportion of Army personnel in the Gulf are from Scottish regiments; what proportion Scottish regiments form of the regular army; and if he will make a statement.

Mr. Archie Hamilton: Approximately 9 per cent. of the regular army soldiers currently in the Gulf are from Scottish regiments. There are of course other personnel of Scottish origin serving in the Gulf in units with country wide recruitment areas. Some 5 per cent. of the units making up the British Army are Scottish, though again, there are personnel of Scottish origin serving in other units. The selection of units to serve in the Gulf was based on purely military criteria and without regard to region of origin. I am pleased to see that Scottish regiments are well represented in the Gulf where I am confident that they will serve with distinction.

"The Universe"

Mr. Ron Brown: To ask the Secretary of State for Defence what representations he has received from the Roman Catholic church concerning the circulation of the newspaper "The Universe" in the Gulf area by his Department; and if he will make a statement.

Mr. Archie Hamilton: The Ministry of Defence has not received any representations from the Roman Catholic

church on this subject. We have offered to make appropriate arrangements for the distribution of the newspaper.

Armed Forces Pension Scheme

Mr. Flynn: To ask the Secretary of State for Defence whether he will seek to amend the armed forces pension scheme to compensate widows of members of the armed forces for the loss in the value of war widows' children's allowances since 1978.

Mr. Archie Hamilton: No.

The Gulf

Mr. O'Neill: To ask the Secretary of State for Defence what is the monetary value of the assistance provided by the Saudi Government for Operation Granby; and if he will make a statement.

Mr. Archie Hamilton: The value of the host nation support provided by Saudi Arabia for United Kingdom forces is continually increasing. On 6 February we estimated the value to be between £120 million and £150 million, and that it will be around £200 million by the end of March.

Mr. Flynn: To ask the Secretary of State for Defence (1) if he will list the targets in Kuwait over which the United States air force exploded fuel-air-explosive weapons;

(2) whether the British Government and other coalition partners were consulted by the United States on their intention to drop fuel-air-explosive bombs on Kuwait.

Mr. Archie Hamilton: It is not our practice to comment in detail on the types of weapon employed against particular targets. Allied policy is to attack only military targets and facilities which support Iraq's illegal occupation of Kuwait.

Written Answers to Questions

Monday 25 February 1991

ENVIRONMENT

Crown Suppliers

Mr. Campbell-Savours: To ask the Secretary of State for the Environment how many contracts have been extended by the Crown Suppliers in breach of EC/GATT regulations.

Mr. Yeo: Some contracts appear prima facie to fall into this category, but the question of whether breaches have actually occurred can be conclusively established only by the European Court of Justice.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what restrictions exist, or he has placed, on the freedom of TCS board members to work for any of the companies which have been the beneficiaries of contract extensions in breach of EC/GATT regulations.

Mr. Yeo: The general rules applying to the acceptance of outside appointments by civil servants after retirement provide adequate safeguards against any suspicion of impropriety. In particular the assent of the Department is required before any non-industrial staff member may accept an offer of employment by a company with which they have been directly or indirectly involved.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment at which board meetings in 1990 the Crown Suppliers sanctioned a number of contract extensions in breach of EC/GATT regulations.

Mr. Yeo: Although in the course of considering future business, the question of extending contracts was discussed, at no point did the TCS main board sanction extensions in breach of EC/GATT regulations.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what legal advice was obtained by his Department during 1989 concerning possible breaches of EC/GATT purchasing regulations by TCS.

Mr. Yeo: In July 1989 the Department of the Environment provided legal advice that negotiated procedures were permitted by the EC/GATT regulations on certain grounds which did not include difficulties arising from privatisation. The legal adviser also pointed out the requirement to draw up a written report of any negotiated procedure.

In September 1989 the legal adviser responded to a draft report relying on reasons of urgency of supply, or incompatibility or disproportionate technical difficulties resulting from a change in supplier. His advice was that none of the considerations given for further contract extensions could be justified under the EC directive.

No legal advice was sought by the Department from any other source.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment (1) whether the payments made to the personnel director of the Crown Suppliers included moneys additional to the baseline statutory requirements on termination of his employment with the Crown Suppliers;

(2) whether payments made to the business director of building management, Property Services Agency, included moneys additional to the baseline statutory requirements on termination of his contract with the Property Services Agency.

Mr. Yeo: Crown servants are excluded from certain parts of employment legislation providing for baseline statutory payments on termination of employment.

EC/GATT Regulations

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what is the total value of contract extensions granted to PENTOS and Ernest Gill in breach of EC/GATT regulations.

Mr. Yeo: Values of contracts with individual suppliers are a matter of commercial confidentiality.

Housing

Mr. Sumberg: To ask the Secretary of State for the Environment if he will publish details of the performance of cash incentive schemes operated by local authorities under section 129 of the Housing Act 1988.

Mr. Yeo: A report on the operation of cash incentive schemes in 1989-90, based on returns received from the local authorities, has today been placed in the Library. Local authorities will be reporting to the Department on the performance of 1990-91 schemes at the end of the financial year.

Severn Trent Water

Mr. Meale: To ask the Secretary of State for the Environment when he last met the chairman of Severn Trent Water to discuss his company's financial strategy.

Mr. Baldry: As Severn Trent Water is a private sector company, it is the responsibility of its directors to deal with financial matters, within the framework of the obligations imposed on the company by its instrument of appointment as a water and sewerage undertaker. The Director General of Water Services ensures that the company complies with those obligations.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment whether the Property Services Agency *(a)* has been and *(b)* is eligible to be contracted to carry out work for the United States air force in the United Kingdom.

Mr. Yeo: The Property Services Agency has carried out work for the United States air force in the United Kingdom for a number of years and continues to do so.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what discussions have taken place on the post of the Property Services Agency chief executive following upon the decision to proceed with privatisation of the assets of the Property Services Agency.

Mr. Heseltine: It is envisaged that the post of chief executive, PSA Services will remain so long as PSA Services has the functions of a Government Department.

Environmental Protection Act

Mr. Gareth Wardell: To ask the Secretary of State for the Environment (1) when he intends to implement sections 49 and 50 of the Environmental Protection Act; (2) when he intends to implement sections 63 and 75 of the Environmental Protection Act.

Mr. Trippier: I shall announce a timetable for the implementation of part II of the Environmental Protection Act shortly.

Departmental Discipline

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what steps have been taken to ensure that disciplinary actions brought by his Department have been applied consistently at all levels of officials within his Department.

Mr. Heseltine: Both the Department of Environment and PSA Services maintain central registers of all disciplinary offences and the action taken. This is consulted by personnel officers before recommending penalties in each case to ensure uniformity of treatment.

Disabled Employees

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what arrangements will be made to ensure continuity of employment for those persons who are disabled in his Department.

Mr. Heseltine: The Department already operates an equal opportunities policy designed to ensure that disablement in itself is no bar to recruitment or advancement in the Department.

Assured Tenancies

Mr. Battle: To ask the Secretary of State for the Environment what was the average rent of assured tenancies let by housing associations during 1989 and 1990 within each economic planning region.

Mr. Yeo: The available information comes from a survey by the National Federation of Housing Associations which provides average rents for assured tenancies let in each of the NFHA regions. Results for the fourth quarter 1989 to the third quarter 1990 have been published in the "NFHA CORE Quarterly Bulletin", and the relevant extracts have been placed in the Library.

Unleaded Petrol

Mr. Norris: To ask the Secretary of State for the Environment what further initiatives the Government are taking to promote the sale of lead-free petrol.

Mr. Baldry: I refer my hon. Friend to the reply I gave to a question from my hon. Friend the Member for Swindon (Mr. Coombs) on 4 February at column 40. Since then, we have commissioned a survey of motorists in order to find out what barriers there may be to the further uptake of unleaded petrol. Any further initiatives will be guided by the results of the survey.

Local Government Finance

Mr. David Porter: To ask the Secretary of State for the Environment by how much he expects the 1991-92 community charge in Waveney to be increased from last year to take account of defaulters in 1990-91; and if he will make a statement.

Mr. Key: Authorities should have as their aim the collection of 100 per cent. of the charges due to them, and we have provided them with extensive enforcement powers. It is for individual charging authorities, when setting their charges, to decide to what extent to make provision for arrears which they consider are likely to be ultimately uncollectable.

Mr. David Porter: To ask the Secretary of State for the Environment how many community charge payers in Waveney he expects will benefit from all the relief schemes in 1991-92; and if he will make a statement.

Mr. Key: This information is not yet available. However, if Waveney borough council sets its community charge next year at or above £350, a couple who have not moved since 31 March 1990 living in a property of half average rateable value could look forward to a reduction of £395 between them.

Mrs. Ann Winterton: To ask the Secretary of State for the Environment if he will make a statement on the effect that the community charge reduction scheme will have upon Congleton borough council and its charge payers.

Mr. Key: No information is yet available on the numbers of people in each charging authority area who will benefit from a reduction. However, if Congleton borough council sets its community charge next year at or above £388, a couple who have not moved since 31 March 1990 living in a property of half average rateable value could look forward to a reduction of £398 between them.

Mr. David Porter: To ask the Secretary of State for the Environment what steps he is taking to ensure that community charge payers in Waveney in 1991-92 are not penalised by non-payers in 1990-91; and if he will make a statement.

Mr. Key: From 1 April 1990 local authorities were given widened and strengthened enforcement powers which we would expect them to use to minimise the amount of unpaid charges.

Mrs. Ann Winterton: To ask the Secretary of State for the Environment what level of grant is to be paid by central Government to the Congleton borough council in the coming financial year; and what were the amounts paid in each of the previous five years for which figures are available taking into account any relevant changes in local authority responsibilities.

Mr. Key: The following amounts of grant were paid to Congleton borough council or are due to be paid:

Year	Amount £
Rate Support Grant	
1986-87	1,087,274·00
1987-88	883,317·00
1988-89	710,635·00
1989-90	619,947·00

Year	Amount £
Revenue Support Grant	
1990-91	9,277,645·00
1991-92	8,348,987·00

The figures for 1990-91 onwards are not comparable with previous years since the grant is now paid into the collection fund on which Cheshire county council is entitled to precept.

Revenue support grant like rate support grant is not paid in support of particular services and it is not possible to adjust the above figures for any changes in local authority responsibilities.

Mr. Barnes: To ask the Secretary of State for the Environment on what percentage of domestic properties for which rates were due domestic rates were not paid in the Chelmsford local authority area in the latest available financial year prior to 31 March 1990.

Mr. Robert Key: No information is collected centrally on the percentage of domestic properties for which rates were not paid.

Mr. Bruce: To ask the Secretary of State for the Environment if he will publish information on *(a)* poll tax receipts and non-payment and *(b)* non-domestic rate receipts and non-payment for all those local authorities which have made their third quarterly returns to his Department.

Mr. Portillo *[holding answer 20 February 1991]:* I am arranging for copies of the information to be placed in the Library of the House.

Mr. Salmond: To ask the Secretary of State for the Environment whether the community charge reduction scheme will only apply during 1991-92; and if he will make a statement.

Mr. Key *[holding answer 22 February 1991]:* Regulations laid before Parliament on 14 February 1990 provide that the community charge reduction scheme in England will initially apply to 1991-92 and 1992-93.

St. James's Park

Sir Geoffrey Finsberg: To ask the Secretary of State for the Environment when the contract was placed for the rehabilitation of the lake in St. James's park; when the work was scheduled to finish; and on what date it is now expected to be fully completed.

Sir George Young: The contract for the rehabilitation of the lake was placed on 29 October 1990. The work was scheduled to finish on 29 March 1991, and is expected to be completed on about 12 April.

Bathing Beaches

Mr. Higgins: To ask the Secretary of State for the Environment if he will approve a byelaw under the Public Health Act 1936 to designate beaches in Worthing as bathing beaches.

Mr. Trippier: Worthing is already a designated bathing water under the European Community Bathing Water Directive and has met European standards for the past two years.

Fish

Mr. Hardy: To ask the Secretary of State for the Environment what is his estimate of the numbers of species of fish in the United Kingdom's coastal waters, and if he will list those species which are largely dependent upon estuaries for breeding and migration purposes.

Mr. Curry: I have been asked to reply.

There are about 125 species of fin fish in United Kingdom coastal waters of which about half are of interest to fishermen. Leaving aside the non-commercial fish species, the species which take advantage of estuarine conditions at some stage in their lifecycle are bass, flounder, herring, sprat, eel, smelt, salmonids, mullet species and sandeel species.

FOREIGN AND COMMONWEALTH AFFAIRS

East Timor

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he is making to the Indonesian Government on the torture and ill-treatment of prisoners in East Timor.

Mr. Douglas Hogg: As my hon. Friend the then Minister of State for Foreign and Commonwealth Affairs informed the hon. Lady in reply to her question of 29 March 1990, column 289, the Indonesian authorities are well aware of our views on the need to respect human rights.

Iran

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Iran about executions in the past year; and what representations he has made on the assassination of Dr. Kazem Rajavi.

Mr. Douglas Hogg: We remain concerned at the high level of executions in Iran. We have made clear to the Iranian Government that we expect them to respond promptly to all the allegations made in the reports of the United Nations special representative on human rights in Iran, including those relating to executions.

We have not raised with the Iranian Government the case of Dr. Rajavi, which is still under investigation in Switzerland.

Kenya

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he is making to the Kenyan Government on behalf of the British citizens of Asian origin who face difficulties with visa and entry regulations for that country.

Mr. Douglas Hogg: Immigration procedures for entry into Kenya are a matter for the Kenyan Government. We make regular representations to the Kenyan Government on this issue in London and through our High Commission in Nairobi.

Arab and Islamic States

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings or telephone conversations he or ministers in his Department have had

with Ministers or officials from foreign ministries in Arab and Islamic states since 15 January; and what matters have been addressed in each case.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and officials of this Department have been in touch with Ministers and senior officials of almost all Arab and Islamic countries since 15 January. A very wide range of bilateral, regional and internal matters has been discussed, including the Gulf crisis. The great majority of Arab and Islamic Governments firmly support the United Nations resolutions on the Gulf and the requirement for Saddam Hussein to withdraw all his forces immediately and unconditionally from Kuwait.

Yugoslavia

Mr. Corbett: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice he is giving tour operators and individuals over the safety of holidaymaking in Yugoslavia in the current year.

Mr. Douglas Hogg: Our current advice is that we see no reason to discourage travel to Yugoslavia. We point out, however, that there have been localised disturbances in Kosovo and in parts of Croatia, Bosnia and Herzegovina. British nationals are also advised to avoid the area of Knin where there have been blockades on roads and railways. Visitors staying longer than one month are advised to register with the British consulates in Belgrade, Zagreb, Split or Dubrovnik.

We are continually reviewing travel advice for all countries.

Security Policy

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the speech he made to the European Foreign Affairs Council on European security policy.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs set out our views on European security policy in his Churchill memorial lecture on 19 February, and in his speech in Berlin on 10 December. Copies are available in the Library.

Israel

Mr. Nellist: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times the United States of America and the United Kingdom have vetoed proposed resolutions regarding sanctions against Israel in the United Nations Security Council.

Mr. Douglas Hogg: None.

The Gulf

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he or his officials have had any meetings this year with members of *(a)* Kuwait and *(b)* Iraqi opposition political parties.

Mr. Douglas Hogg: British diplomats in Saudi Arabia have kept in close touch with all strands of Kuwaiti society as represented, for example, at the Kuwait national conference held in Jedda on 13-15 October. Officials in London have held a number of meetings with the members of a variety of Iraqi groups.

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect of the deployment of Patriot missiles in the Occupied Territories on the cohesion of the coalition against Iraq.

Mr. Douglas Hogg: The coalition against Iraq remains firm. The deployment of Patriot missile launchers in defence of Israel is a matter for the Israeli Government.

The Gulf (Birds)

Mr. Bowis: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he has given to efforts to save birdlife in the Gulf area; and if he will make a statement on progress with these efforts.

Mr. Douglas Hogg: I refer my hon. Friend to the reply my hon. Friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs gave to my hon. Friend the Member for Hornchurch (Mr. Squire) on 15 February at col. *609*. The main aim of the visit of the RSPCA team to the Gulf was to train local volunteers in the techniques of cleaning oil-contaminated seabirds. Nevertheless, the RSPCA team treated more than 500 birds in Saudi Arabia during their time there.

Hong Kong

Mr. Lawrence: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the number of managerial and professional persons resident in Hong Kong in each of the past five years; and if he will make a statement on his current assessment of the likelihood of a drain of managerial and professional persons from Hong Kong.

Mr. Douglas Hogg *[holding answer 20 February 1991]:* The Hong Kong Government estimate that the number of managerial and professional people (including administrative and technical personnel) resident in Hong Kong in each of the past five years was:

	Number
1986	262,000
1987	279,000
1988	302,000
1989	318,000
1990	328,000

The Hong Kong Government estimate that the number of emigrants who fall into these categories in each of the past five years was as follows:

	Number
1986	2,600
1987	7,400
1988	11,200
1989	9,800
1990	14,500

The Hong Kong Government believe that, despite loss through emigration, the number of highly educated and professionally skilled persons in Hong Kong should not

fall in future years if the present trend of local young people graduating overseas continues. Furthermore, Hong Kong's own tertiary institutions are rapidly expanding their output of new graduates. The figures are:

	Number
1986	2,800
1987	3,000
1988	3,600
1989	4,300
1990	5,000

It is estimated that by 1996 Hong Kong will be producing over 17,000 new first degree graduates per year.

EDUCATION AND SCIENCE

Geography

Mr. Peter Bottomley: To ask the Secretary of State for Education and Science if he will list and give the reasons for his alterations to the recommendations of the geography working group and the National Curriculum Council's consultation report on geography.

Mr. Eggar: My right hon. and learned Friend published a draft statutory order for geography on 14 January together with draft attainment targets and programmes of study. At that time he published a statement giving his reasons for making changes to the documents, as he was required to do by the Education Reform Act. Copies of the drafts and the statement of reasons were placed in the Library. I shall send a copy of the texts to my hon. Friend.

Chief Inspector of Schools

Mr. Dunn: To ask the Secretary of State for Education and Science whether he will consider candidates for appointment to the post of chief inspector of schools from outside Her Majesty's inspectorate.

Mr. Eggar: The new senior chief inspector will be appointed after an open competition organised by the Civil Service Commission. External and internal candidates have already applied, and the post will shortly be readvertised to increase the field from which the appointment can be made.

Teacher Training Institutions

Mr. Dunn: To ask the Secretary of State for Education and Science what plans he has to reform teacher training institutions to take account of the Education Reform Act 1988.

Mr. Fallon: The Secretary of State already requires teacher training institutions to take account of the Act. The revised course approval criteria, which have been in effect since 1 January 1990, reflect the changing needs of schools, including the demands of the national curriculum. The Council for the Accreditation of Teacher Education advises the Secretary of State on whether courses satisfy the criteria. It is keeping the criteria under review and will be offering my right hon. and learned Friend their advice on possible changes to them later this year.

Schools Inspectorate

Mr. Dunn: To ask the Secretary of State for Education and Science what plans he has for the reorganisation of Her Majesty's inspectorate of the Education Reform Act 1988.

Mr. Eggar: The senior chief inspector regularly undertakes reviews of all aspects of the organisation of Her Majesty's inspectorate of schools, within the arrangements applying to the DES as a whole. Such reviews take account of major changes and developments in the education system, for example, the Education Reform Act 1988 and along with the rest of the Department's arrangements are subject to the Secretary of State's oversight and agreements.

Higher Education

Mr. Andrew Smith: To ask the Secretary of State for Education and Science how much it cost to run the higher education section of Her Majesty's inspectorate in the last financial year; what the projected outturn is for the current year; and what the planned expenditure is for 1992.

Mr. Alan Howarth: All Her Majesty's inspectorate undertake a range of duties. In 1989-90, the manpower devoted to higher education inspection and reporting was the equivalent of 40 Her Majesty's inspectorate. The inspectorate's total budget in 1989-90 was £25 million and on a pro-rata basis, the cost of higher education inspection was £2·1 million.

The expected outturn for the current financial year is £2·3 million and for 1991-92 is £2·5 million.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will list the number of reports on higher educational institutions and courses completed by Her Majesty's inspectorate categorised by length of time between inspection and publication; and if he will state the average time taken between inspection and publication for Her Majesty's inspectorate reports on higher education.

Mr. Alan Howarth: In 1990 Her Majesty's inspectorate published reports on 105 higher education institutions and 13 higher education surveys. The length of time taken between inspection and the publication of these reports is as shown:

Months	Reports
2	1
3	15
4	14
5	31
6	20
7	17
8	4
9	2
10	1

The average time taken between inspection and publication is five months.

Mr. Andrew Smith: To ask the Secretary of State for Education and Science (1) what consultations he has recently undertaken with regard to the future structure and funding of higher education and the future system of student support;

(2) what proposals he is considering to award state scholarships to cover the costs of tuition fees for undergraduates; and what consideration has been given to making students personally liable for the costs of tuition fees.

Mr. Alan Howarth: My right hon. and learned Friend and I are listening with interest to the continuing debate about the future structure and funding of higher education. We do not rule out some changes over time, but these would require primary legislation for which the Government have no plans. Nor do we plan any change in the arrangements whereby standard fees are met from public funds for the great majority of students who are eligible for an award.

Correspondence

Mr. Andrew Smith: To ask the Secretary of State for Education and Science what targets his Department works to in answering letters *(a)* from hon. Members and *(b)* from the general public.

Mr. Alan Howarth: The Department aims to reply to correspondence *(a)* within three weeks, and *(b)* within four weeks of the date of receipt; and to provide an interim reply when a delay is anticipated, for instance in the large number of cases which require an inquiry of an outside body.

Canterbury Estate, Bradford

Mr. Madden: To ask the Secretary of State for Education and Science (1) to whom his Minister of State referred material he received from tenants during his visit to the Canterbury estate;

(2) what recommendations his Minister of State made following his visit to the Canterbury estate in Bradford on 15 February; and if he will make a statement.

Mr. Eggar: As Minister with special responsibility for Leeds and Bradford the purpose of my recent visit to the Canterbury estate was to acquaint myself better with that part of the task force area. I have referred the material with which I was presented by some residents to the task force, which will be following up the issues raised.

Teachers' Pay

Mr. Fatchett: To ask the Secretary of State for Education and Science (1) if he will state, for each table in the written evidence given by his Department in the autumn of 1989 to the Interim Advisory Committee on School Teachers' Pay and Conditions (i) when those figures or statistics have been or will be otherwise published, (ii) the name or type of the relevant publication, (iii) the earliest date when the figures or statistics shown in the table were available for use, and (iv) whether the figures or statistics shown in the table were specially prepared in connection with the preparation of evidence to the committee;

(2) if he will list the publications containing figures and statistics relevant to the consideration of changes in the remuneration and other conditions of employment of school teachers which he expects his Department to publish before the autumn of 1991, in each case stating the expected month of publication;

(3) if he will state, for each table in the written evidence given by his Department in the autumn of 1990 to the Interim Advisory Committee on School Teachers' Pay and Conditions (i) when those figures or statistics have been or will be otherwise published, (ii) the name or type of the relevant publication, (iii) the earliest date when the figures or statistics shown in the table were available for use, and (iv) whether the figures or statistics shown in the table were specially prepared in connection with the preparation of evidence to the committee.

Mr. Eggar: I will write to the hon. Member as soon as possible.

Vocational Education

Mr. Morgan: To ask the Secretary of State for Education and Science if he will institute a study into the *(a)* funding problems, *(b)* viability problems and *(c)* survival rates in workshop-based vocational educational courses in colleges of higher education; and if he will make a statement.

Mr. Alan Howarth: No.

Grant-maintained Schools

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he will list the number of schools for each education authority which have applied for grant-maintained status and the number which have expressed to his Department or to the Grant Maintained Schools Trust an interest in so doing.

Mr. Eggar: The table gives the number of schools within each education authority which *(a)* have been approved for GM status; *(b)* have published GM proposals on which decisions are pending; *(c)* are preparing GM proposals following a ballot in favour of seeking GM status; and *(d)* are holding or are committed to holding a ballot.

Local Education Authority	*(a)*	*(b)*	*(c)*	*(d)*
Avon	1	1	—	—
Bedfordshire	1	—	—	—
Berkshire	1	2	—	—
Buckinghamshire	2	1	—	—
Cambridgeshire	—	—	1	—
Cheshire	1	—	1	2
Cumbria	—	1	2	—
Derbyshire	2	—	—	—
Devon	1	—	—	—
Dorset	2	—	2	1
Essex	1	1	—	3
Gloucestershire	4	—	—	1
Hampshire	1	1	—	1
Hertfordshire	3	—	2	3
Humberside	—	—	—	1
Kent	4	5	5	5
Lancashire	3	1	—	2
Leicestershire	1	—	—	1
Lincolnshire	6	2	—	2
Norfolk	1	—	—	1
Northamptonshire	2	1	—	1
Shropshire	1	1	1	—
Somerset	—	1	—	—
Surrey	1	—	1	3
Warwickshire	—	1	—	1
Wiltshire	—	1	—	—
Hammersmith	1	—	1	—
Kensington	1	—	—	—
Lewisham	—	—	—	2
Southwark	1	—	—	—
Tower Hamlets	—	—	—	1
Wandsworth	—	1	1	1

Local Education Authority	(a)	(b)	(c)	(d)
Barnet	2	—	—	—
Brent	1	—	1	1
Bromley	1	—	—	4
Ealing	—	—	2	4
Hillingdon	1	2	2	4
Newham	1	—	—	—
Sutton	1	1	—	—
Waltham Forest	—	—	—	1
Birmingham	3	1	—	—
Dudley	1	—	—	—
Sandwell	—	1	—	—
Wolverhampton	1	—	1	—
Liverpool	1	—	—	—
Bolton	1	—	—	—
Rochdale	—	—	—	1
Tameside	1	—	—	—
Bradford	1	—	—	—
Calderdale	2	—	—	—
Kirklees	2	—	—	—
Total	62	26	23	47

Many other schools are considering whether to seek GM status. In the last four months we have sent out on request about 80,000 copies of our explanatory leaflet for parents "Grant-Maintained Schools: Questions Parents Ask".

School Governors and Managers

Mr. Dunn: To ask the Secretary of State for Education and Science what grants have been made to the National Association of Governors and Managers and for what purposes in the last two years.

Mr. Fallon: The Department contributed £8,000 per annum in 1988-89 and 1989-90 towards the cost of improving the association's administration; up to £40,000 is available in the current year in support of longer term restructuring to enable it to become an effective national organisation.

Mr. Dunn: To ask the Secretary of State for Education and Science if he will publish in the *Official Report* the number of governors of local authority maintained schools there are in England; and if he will give the membership of the National Association of Governors and Managers.

Mr. Fallon: There are an estimated 300,000 governors in local education authority maintained schools. Approximately 3,000 individuals and 480 governing bodies are members of the National Association of Governors and Managers.

Mr. Dunn: To ask the Secretary of State for Education and Science what meetings have been held in recent months between Ministers and officials of his Department and representatives of the National Association of Governors and Managers; and who represented the National Association of Governors and Managers.

Mr. Fallon: There have been no ministerial meetings with the National Association of Governors and Managers in recent months. Officials have met members of the association's national executive on a number of occasions.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he will indicate for Kent county council its ranking for the last 10 years in spending per pupil on school education as against other local education authorities.

Mr. Fallon: The available information is shown in the table.

Year	Number of LEAs for which information is available[1]	Kent LEA rank[2] Primary	Secondary
1979-80	96	84	61
1980-81	96	94	81
1981-82	96	94	79
1982-83	96	91	78
1983-84	96	95	84
1984-85	96	94	91
1985-86	96	95	96
1986-87	94	93	93
1987-88	97	[3]87	86
1988-89	93	[3]93	91

Notes to table:

[1]The rankings relate to authorities in England for which data is available, and are based on authorities' expenditure and pupil number returns to the relevant Government Departments. 1988-89 is the latest year for which data is available.

[2]The rankings relate to net institutional spending in primary schools and secondary schools, including the cost of salaries and wages, premises, and certain supplies and services. The cost of school meals, central administration and the financing of capital expenditure is not included. The highest spending authority is ranked as 1.

[3]From 1987-88, separate information is not available for nursery and primary schools, and the rankings relate to spending in all such schools.

Kent County Council

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he has received details of the draft Kent county council budget for 1991-92; and if he will indicate the standard spending assessment.

Mr. Fallon: The education component of Kent county council's standard spending assessment for 1991-92 is £533·3 million. My right hon. and learned Friend has received no details of the council's draft education budget.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he will set up an investigation into the quality of the education provided in Kent; and if he will make a statement.

Mr. Fallon: My right hon. and learned Friend has no plans to do so.

Education Authority Spending

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science if he will publish a table showing for each education authority in England and Wales the latest information available on spending per pupil on school education, ordered by that spending.

Mr. Fallon: The available information for England is shown in the tables. Information for Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

[1]*Average net institutional expenditure per pupil in nursery and primary schools in England 1988-89*[2]

LEA	£	Rank
ILEA	1,605	1
Ealing	1,385	2
Brent	1,375	3

LEA	£	Rank
Newham	1,360	4
Hounslow	1,270	5
Barking and Dagenham	1,255	6
Barnet	1,250	7
Waltham Forest	1,250	7
Sheffield	1,230	9
Newcastle upon Tyne	1,225	10
Merton	1,210	11
Walsall	1,200	12
Hillingdon	1,195	13
Wolverhampton	1,190	14
Croydon	1,180	15
Gateshead	1,180	15
Richmond-upon-Thames	1,180	15
Doncaster	1,175	18
Kingston-upon-Thames	1,175	18
Sandwell	1,175	18
Bromley	1,165	21
Knowsley	1,165	21
Bradford	1,160	23
Humberside	1,155	24
Leeds	1,155	24
Liverpool	1,150	26
South Tyneside	1,150	26
Calderdale	1,145	28
North Tyneside	1,145	28
Cumbria	1,140	30
Durham	1,130	31
Hertfordshire	1,130	31
Oldham	1,125	33
Oxfordshire	1,125	33
Rotherham	1,125	33
Bedfordshire	1,115	36
Harrow	1,115	36
Nottinghamshire	1,115	36
Tameside	1,115	36
Enfield	1,110	40
Kirklees	1,110	40
Bexley	1,100	42
Havering	1,095	43
Northumberland	1,090	44
Sutton	1,090	44
Leicestershire	1,085	46
Salford	1,085	46
Bury	1,080	48
Derbyshire	1,080	48
Cleveland	1,075	50
Shropshire	1,075	50
Norfolk	1,070	52
Redbridge	1,070	52
Wirral	1,070	52
Barnsley	1,065	55
Buckinghamshire	1,065	55
Coventry	1,065	55
Isle of Wight	1,055	58
Avon	1,050	59
Essex	1,050	59
St. Helens	1,050	59
Staffordshire	1,050	59
Surrey	1,050	59
Trafford	1,050	59
Wiltshire	1,045	65
Birmingham	1,040	66
Hampshire	1,040	66
Solihull	1,040	66
Stockport	1,035	69
Berkshire	1,030	70
North Yorkshire	1,030	70
East Sussex	1,025	72
Somerset	1,025	72
Warwickshire	1,025	72
Wigan	1,025	72
Dorset	1,020	76
Dudley	1,020	76
Suffolk	1,020	76
Bolton	1,015	79
Sefton	1,015	79
Cornwall	1,010	81
Gloucestershire	1,010	81
Cambridgeshire	1,005	83
Lincolnshire	1,005	83
Northamptonshire	1,005	83
Sunderland	1,005	83
West Sussex	1,005	83
Hereford and Worcester	1,000	88
Rochdale	990	89
Lancashire	985	90
Devon	975	91
Cheshire	960	92
Kent	935	93
Haringey	n.a.	—
Manchester	n.a.	—
Wakefield	n.a.	—

Average net institutional expenditure[1] per pupil in secondary schools in England, 1988-89[2]

LEA	£	Rank
ILEA	2,505	1
Waltham Forest	2,435	2
Brent	2,305	3
Ealing	2,145	4
Newham	2,140	5
Croydon	2,040	6
Knowsley	1,990	7
Barking and Dagenham	1,970	8
Coventry	1,940	9
Liverpool	1,905	10
Kingston-upon-Thames	1,900	11
Hounslow	1,895	12
Sandwell	1,885	13
Walsall	1,885	13
Hillingdon	1,870	15
Newcastle upon Tyne	1,870	15
Havering	1,860	17
Salford	1,860	17
Wigan	1,845	19
Dudley	1,840	20
South Tyneside	1,825	21
Barnet	1,820	22
Sheffield	1,810	23
North Tyneside	1,780	24
Bromley	1,770	25
Cleveland	1,770	25
Gateshead	1,770	25
Leicestershire	1,770	25
Derbyshire	1,755	29
Wirral	1,755	29
Hertfordshire	1,745	31
Nottinghamshire	1,745	31
Wolverhampton	1,745	31
Harrow	1,740	34
Redbridge	1,735	35
Bury	1,730	36
Stockport	1,730	36
Buckinghamshire	1,715	38
Enfield	1,715	38
St. Helens	1,710	40
Trafford	1,710	40
Rochdale	1,700	42
Shropshire	1,695	43
Humberside	1,690	44
Bexley	1,685	45
Cumbria	1,685	45
Calderdale	1,665	47
Oxfordshire	1,665	47
Sunderland	1,665	47
Merton	1,660	50
Tameside	1,660	50
Doncaster	1,655	52
Solihull	1,650	53
Barnsley	1,645	54
Birmingham	1,640	55
Richmond-upon-Thames	1,640	55
Bedfordshire	1,635	57

LEA	£	Rank
Bolton	1,635	57
Essex	1,635	57
Rotherham	1,635	57
Surrey	1,635	57
Warwickshire	1,635	57
Avon	1,630	63
Northumberland	1,630	63
Sutton	1,630	63
Kirklees	1,620	66
Lancashire	1,620	66
Staffordshire	1,610	68
Bradford	1,605	69
Sefton	1,600	70
North Yorkshire	1,595	71
Oldham	1,590	72
Norfolk	1,585	73
Hampshire	1,580	74
Durham	1,575	75
Berkshire	1,570	76
Somerset	1,570	76
East Sussex	1,565	78
Wiltshire	1,555	79
Cheshire	1,545	80
Gloucestershire	1,545	80
Leeds	1,545	80
Northamptonshire	1,545	80
Devon	1,535	84
West Sussex	1,530	85
Cornwall	1,525	86
Isle of Wight	1,495	87
Dorset	1,490	88
Suffolk	1,485	89
Cambridgeshire	1,480	90
Kent	1,475	91
Lincolnshire	1,475	91
Hereford and Worcester	1,440	93
Haringey	n./a.	—
Manchester	n./a.	—
Wakefield	n./a.	—

[1] Net institutional spending includes the cost of salaries and wages, premises and certain other supplies and services. The cost of school meals, central administration, and the financing of capital expenditure is not included.

[2] The figures are based on authorities' expenditure and pupil number returns to the relevant Government Departments.

NATIONAL FINANCE

Interest Rates

Mr. Barry Field: To ask the Chancellor of the Exchequer, in sterling, how much Germany's contribution to *(a)* the United Kingdom, and *(b)* the allied coalition for the Gulf war has been reduced as a result of the increase in interest rates by the Bundesbank.

Mr. Mellor: It is not possible to distinguish the effect of the increase in interest rates by the Bundesbank from other factors affecting the sterling-deutschmark and dollar-deutschmark exchange rates and thus the sterling and dollar values of Germany's financial contributions.

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is his estimate of the cost to business of each 1 per cent. increase in interest rates.

Mr. Maples: The calculation of such costs is inevitably fairly approximate. But a one percentage point rise in interest rates may directly increase industrial and commercial companies' gross costs by £½–¾ billion a year. A 1 per cent. rise in wages may increase costs by about £1¾ billion a year.

TESSAs

Mr. French: To ask the Chancellor of the Exchequer by how much the total level of personal savings has risen since the introduction of TESSAs.

Mr. Maude: TESSAs are proving to be very successful and are undoubtedly helping to encourage a climate of thrift. Any estimate of their effect on the overall level of personal savings would be speculative.

Swap Deals (Hong Kong)

Mr. Beith: To ask the Chancellor of the Exchequer what assessment he has made of the impact on the British banking system of the decision of the Hong Kong Government that swap deals entered into by the Mass Transit Railway may not be valid and will now be validated by retrospective legislation.

Mr. Maples: This is a matter for the Hong Kong Government. It will have no impact on the British banking system.

Capital Gains Tax

Mr. David Shaw: To ask the Chancellor of the Exchequer what studies Her Majesty's Treasury has made of the effect on the overall revenue from capital gains taxation of reducing the rate; and whether he will consider the results of studies undertaken in the United States of America.

Mr. Maude: Estimates of the effect of changes in capital gains tax rates allow for likely implications for the volume of disposals. If rates were reduced, the volume would be expected to increase, but not to the point where there would be an overall rise in tax receipts. Some studies in the United States have suggested that reductions there in the rate of capital gains tax might, for a period, increase tax receipts, but the results are the subject of considerable debate and other studies have suggested that any increase in revenue would be short-term and would quickly be followed by a fall in tax receipts. In any event, studies in the United States are not of direct relevance to the United Kingdom, because of differences between the two countries' tax regimes. In particular, most of those paying tax on capital gains in the United States would be below the annual exemption (for which there is no United States equivalent) in the United Kingdom, and, for the remainder, indexation relief means that the tax liability on gains would commonly be substantially less in the United Kingdom than in the United States. Limitations on data would make it difficult to replicate the United States studies in the United Kingdom.

Value Added Tax

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer how much VAT was paid per annum by a family consisting of a married man on *(a)* half of, *(b)* three quarters of, *(c)* twice and *(d)* three times average male earnings, his wife and two children in 1978-79; and what is the most recent estimate.

Mrs. Gillian Shephard: Reliable estimates cannot be made outside the range of three quarters to one and a half

times average male earnings. For estimates within this range, I refer the hon. Member to the reply given to the hon. Member for Great Grimsby (Mr. Mitchell) on 17 January 1991 at column *560*.

Excise Duty

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what is the impact of indexation of excise duties by product on *(a)* inflation and *(b)* revenues in 1991-92 and a full year.

Mrs. Gillian Shephard: The impact of indexation of excise duties by product on the retail prices index and revenues in 1991-92 and a full year are as follows:

Duty Item	*Retail price index per cent.*	*Revenue yield 1991-92 £ million*	*Revenue yield full year £ million*
Tobacco	0·20	445	515
Petrol	0·16	715	795
Derv.	0·01	185	215
Beer	0·08	150	175
Wine	0·05	55	60
Spirits	0·05	105	115
VED	0·07	280	290
Cider	[1]—	5	5
Other (Rebated Oils etc)	[1]—	15	15
Total	0·62	1,955	2,185

[1] Negligible.

Saving Ratio

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what assessment he has made of the effect on the saving ratio of reduced borrowing and additional savings in recent periods.

Mr. Maples: The personal sector saving ratio has risen from 4½ per cent. in the third quarter of 1988 to nearly 9 per cent. in the third quarter of 1990. Over this period, the year-on-year growth rate of real consumers' expenditure has fallen from nearly 7 per cent. to just over 2 per cent., while the growth of personal sector borrowing has fallen from over 22 per cent. to 13 per cent.

Recycling

Mr. Janman: To ask the Chancellor of the Exchequer what consideration he has given to tax incentives to encourage industry to engage in recycling.

Mr. Maude *[holding answer 22 February 1991]:* I cannot anticipate my right hon. Friend's Budget statement.

Members of the European Parliament

Mr. Cryer: To ask the Chancellor of the Exchequer if he will introduce legislation to ensure that Members of the European Parliament representing the United Kingdom are subject to tax on office and travel allowances in a manner identical to hon. Members of this House.

Mr. Maude *[holding answer 21 February 1991]:* The European Court of Justice ruled in 1981 that expenses allowances paid by the European Parliament to its Members are not liable to United Kingdom tax.

ENERGY

Electricity Supply, East Midlands

11. Mr. Harry Barnes: To ask the Secretary of State for Energy if he will publish a report on the electricity supply crisis in the east midlands which resulted from the severe weather conditions of 8 December 1990.

Mr. Heathcoat-Amory: East Midlands Electricity is preparing a report which is expected to be available during April. A copy of the report will be placed in the Library of the House in due course.

Gas Industry (Competition)

13. Sir David Price: To ask the Secretary of State for Energy when he next plans to meet the chairman of British Gas to discuss competition in the gas industry.

Mr. Wakeham: I meet the chairman of British Gas from time to time to discuss a range of issues.

23. Sir Trevor Skeet: To ask the Secretary of State for Energy when he next plans to meet the Director General of OFGAS to discuss competition in the gas industry.

Mr. Wakeham: I meet the Director General of Gas Supply from time to time to discuss a range of issues.

Non-fossil Fuel Obligation

14. Mr. Andrew Hargreaves: To ask the Secretary of State for Energy when he expects to announce details of the second non-fossil fuel obligation order.

Mr. Root: To ask the Secretary of State for Energy if he will make a statement on his plans for the second tranche of the non-fossil fuel obligation order.

Mr. Moynihan: My right hon. Friend proposes to make the second non-fossil fuel obligation order for renewable sources of electricity generating capacity in the autumn of this year.

Electricity Privatisation

15. Mr. Hanchurst: To ask the Secretary of State for Energy what information he has on the number of employees of the 12 regional electricity companies who became shareholders in the industry on its privatisation.

18. Mr. Janman: To ask the Secretary of State for Energy what information he has on the number of employees of the 12 regional electricity companies who became shareholders in the industry on its privatisation.

Mr. Heathcoat-Amory: About 84,000 employees and 21,000 pensioners of the 12 regional electricity companies, the National Grid Company and the Electricity Association applied for and received shares. Between them they were allocated almost 160 million shares, representing about 7·4 per cent. of the total equity of the 12 regional electricity companies.

Energy Efficiency

16. Mr. Waring: To ask the Secretary of State for Energy what consultations he has had with community insulation groups regarding the progress of the home energy efficiency scheme.

Mr. Heathcoat-Amory: The home energy efficiency scheme came into operation on 1 January and the initial indications are that it is being well received. Through Neighbourhood Energy Action, the community insulation groups were closely involved in the development of HEES.

Mr. Harry Greenway: To ask the Secretary of State for Energy what plans his Department has to promote energy efficiency labelling.

Mr. Heathcoat-Amory: Since the White Paper on the Environment "This Common Inheritance" (Cmnd. 1200) my Energy Efficiency Office has consulted extensively on the practicality of appliance labelling schemes and encouraged the European Commission in its own consultative work on drawing up a proposal for a directive. We hope to introduce a voluntary scheme in advance of an EC scheme.

There are two labelling schemes for housing currently available, both launched in 1990. The schemes are based on the Building Research Establishment's domestic energy model. The EEO is exploring with the organisations involved how the concept of home energy labelling can be more widely promoted.

Wave-generated Electricity

17. **Mr. Flynn:** To ask the Secretary of State for Energy when he expects to commission a reassessment of the efficiency of wave-generated electricity.

Mr. Moynihan: A new study of the technical and economic prospects of the generation of electricity from wave energy began in the autumn of 1989 and will be completed this year.

Oil Production

19. **Mr. Sumberg:** To ask the Secretary of State for Energy what is his estimate of the level of global oil production in 1990.

Mr. Wakeham: The IEA estimates global oil production to have averaged 66·6 million barrels per day in 1990.

20. **Mr. John Greenway:** To ask the Secretary of State for Energy what is his estimate of the level of United Kingdom oil production in 1990.

Mr. Wakeham: United Kingdom oil production in 1990 is provisionally estimated at 91·6 million tonnes.

Offshore Oil and Gas

21. **Mr. Favell:** To ask the Secretary of State for Energy what progress has been made in reducing the number of fallow blocks on the United Kingdom continental shelf.

Mr. Moynihan: Very good progress has been made. At the beginning of 1989, there were 125 blocks in the fallow category and at the end of last year the overall total was 41. I have been informed by those operators still holding fallow blocks that they expect to make further substantial progress this year.

Coal Imports

22. **Mr. Lofthouse:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal concerning the level of coal imports after April 1993.

Mr. Wakeham: I meet the chairman of British Coal regularly to discuss all aspects of the coal industry.

British Coal Enterprise Ltd.

24. **Mr. Knowles:** To ask the Secretary of State for Energy what has been the direct funding of British Coal Enterprise's job and career change scheme.

Mr. Heathcoat-Amory: No direct Government funding is given to British Coal Enterprise. However, restructuring grants are made available to the British Coal Corporation, under section 3 of the Coal Industry Act 1987, to reimburse British Coal Enterprise for losses incurred by the Company in promoting new employment in coal mining areas. This includes the job and career change scheme.

Energy Imports

25. **Mr. Hardy:** To ask the Secretary of State for Energy if the United Kingdom was a net importer of energy in 1990.

Mr. Heathcoat-Amory: The United Kingdom was a small net importer of energy in 1990, with net imports amounting to 16·2 million tonnes of coal equivalent. However, in financial terms, the higher value of our exports meant that the United Kingdom was a net exporter of energy to the value of £446 million.

Green Issues

Dr. Thomas: To ask the Secretary of State for Energy who in his Department has been appointed to oversee and develop green issues; how many civil servants have been allocated new or additional responsibilities to deal with the management and development of green issues; and what additional allocation of resources has been made to support programmes related to green issues in his Department.

Mr. Wakeham: At ministerial level, I am responsible for considering the environmental implications of my Department's policies and spending programmes, and for following up the relevant parts of the White Paper "This Common Inheritance". As part of this responsibility, I chair the newly-established ministerial committee on energy efficiency which aims to stimulate improvements in all sectors of the economy.

My Department has set up a steering group and an environment task force to co-ordinate and develop policy on energy and the environment. All relevant divisions are represented on the steering group, which is chaired by a deputy secretary. The task force, which is established within the Energy Technology Division, includes nine staff; it also calls on relevant expertise from other parts of the Department.

Many aspects of the Department's work are related, either directly or indirectly, to environmental issues. Environmental considerations therefore play an important role in the work of a very much larger number of my Department's officials, but it is not practicable to identify what proportion of the Department's resources overall are allocated to these issues.

My Department's programmes address environmental questions as appropriate. For example, expenditure on renewable energy R and D is due to increase by about 20

per cent. in 1991-92 over the level for 1990-91. In addition, the budget of the Energy Efficiency Office is being increased to £42 million in 1991-92.

Industrial Plant (Dust)

Mr. Hardy: To ask the Secretary of State for Energy what assessment he has made of the effectiveness of solid ceramic-based candle filters in dealing with dust within and from industrial plant flues.

Mr. Heathcoat-Amory: British Coal has undertaken extensive work to develop candle filters for cleaning dust from pressurised combustors such as utilised at the Grimethorpe fluidised bed installation. Information on its work is within the public domain. British Coal has not funded comparable activity of non-utility scale industrial plant where it is felt candle filters would probably not be economic compared with current established technology.

Plutonium

Mr. Flynn: To ask the Secretary of State for Energy what volumes of plutonium arising from foreign nuclear fuel reprocessed at *(a)* Sellafield and *(b)* Dounreay remain (i) under safeguards in storage at each respective site and (ii) have been returned to the country or countries of origin.

Mr. Heathcoat-Amory: I am advised that up to March 1990 some 3·5 tonnes of plutonium from the reprocessing of overseas spent fuel had been returned to its country of origin or sent to a country specified by the owner of the plutonium; all of this was from reprocessing of spent fuel at Sellafield. At the end of March 1990, British Nuclear Fuels plc held some 0·5 tonnes of extracted plutonium at Sellafield on behalf of overseas customers. None was held in store at Dounreay. All civil nuclear materials remain subject to Euratom safeguards and to the terms of the United Kingdom/Euratom/IAEA safeguards agreement.

Coal Mining Subsidence

Mr. Harry Barnes: To ask the Secretary of State for Energy how many editions of "Coal Board Arbitration Scheme on Coal Mining Subsidence" were in operation before 1 January; and how many cases were dealt with under each edition of the scheme.

Mr. Heathcoat-Amory: This is a matter for the British Coal Corporation.

Electricity Costs

Mr. Hardy: To ask the Secretary of State for Energy if he will take action to assist heavy energy-using industries which face significantly increasing costs of electricity.

Mr. Heathcoat-Amory: The 1991 prices will depend on the outcome of commercial negotiations currently underway. The Government have created a competitive market for electricity supply in which large users are fully able to participate. I do not believe that it would be right for Government to intervene in the market to assist heavy energy-using industries.

Imports

Mr. Cox: To ask the Secretary of State for Energy what was the cost of energy imports into the United Kingdom for the year 1990.

Mr. Wakeham: The value of energy imports to the United Kingdom, excluding the cost of freight and insurance, for the year 1990 was £7,383 million. This is £446 million less than the comparable value for energy exports of £7,829 million.

Offshore Gas and Oil Industries

Mr. Arbuthnot: To ask the Secretary of State for Energy what was the level of direct employment in the offshore oil and gas industry in 1990; and what is his estimate of the number of jobs indirectly supported by the industry.

Mr. Moynihan: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Hendon, South (Mr. Marshall).

United Kingdom Atomic Energy Authority

Mr. Moss: To ask the Secretary of State for Energy what external financing limit has been set for the United Kingdom Atomic Energy Authority for 1991-92; and what the United Kingdom Atomic Energy Authority's capital expenditure programme is to be in 1991-92.

Mr. Wakeham: The United Kingdom Atomic Energy Authority's external financing limit for 1991-92 will be £23·6 million. I have also approved the authority's capital expenditure programme for the year at £27 million.

Mr. Arbuthnot: To ask the Secretary of State for Energy if he has set objectives for the new chairman of the United Kingdom Atomic Energy Authority.

Mr. Wakeham: I have settled objectives with the UKAEA chairman, Mr. John Maltby, on the following terms:

INTRODUCTION

Peter Walker wrote to your predecessor, John Collier, on 25 February 1987, setting out the objectives which the Government wished him to pursue as Chairman of the AEA. I am writing to up-date those objectives, taking account of developments both of policy and in the regulatory field, and in the light of the progress made by the AEA to fulfil the main aims of the Government in establishing the Trading Fund in 1986. The objectives represent the general direction in which the Government wishes you to take the AEA. Specific targets, which are referred to in this letter, will be set from time to time by the Government, after consultation with you. Nothing in these objectives over-rides your responsibilities as an Accounting Officer.

STATUTORY FRAMEWORK

The AEA's activities are undertaken within the framework of the Atomic Energy Authority Act 1954, the Science and Technology Act 1965, the Atomic Energy Authority Act 1986, and other relevant legislation.

SAFETY

From October 1990, the AEA has been subject to the safety requirements imposed on licensed operators by the Health and Safety Executive under the Nuclear Installations Act 1965 (Repeal and Modifications) Regulations 1990. You should ensure that the AEA continues to have arrangements which secure at all times the highest standards in safety that are reasonably practicable, in its day-to-day activities, in its decommissioning activities and in the management of radioactive waste.

DECOMMISSIONING AND RADIOACTIVE WASTE MANAGEMENT

Decommissioning and radioactive waste management activities are growing in importance within the AEA's total sphere of operations. You should accordingly ensure that, with the funds made available for this purpose, the AEA carries out in the most cost effective way its decommissioning and radioactive waste management responsibilities, consistent with safety and other requirements of the regulatory authorities.

AEA TECHNOLOGY

Aims

Supported by Government, John Collier began, and you are carrying forward, a major restructuring of the AEA, which is aimed at increasing competitiveness, cutting costs, providing better value for money of its customers and increasing profitability. Since 1989, the AEA has been trading as AEA Technology.

Strategy

The AEA is operating in an increasingly competitive market, both for the work which it undertakes for the Government and for other customers. Within the above framework, your prime objective is to ensure that the AEA competes effectively in these markets, develops its business to meet the needs of its customers and, in doing so, earns an acceptable return on its assets. To this end, you should ensure that the AEA has a structure and cost levels that secure these objectives. The Government, whilst continuing to support the AEA in restructuring its operations, looks to the AEA to achieve returns that enable it to fund the costs of restructuring and make a return for the Exchequer.

Defined customer-contractor relations should apply to all work carried out by the AEA. As far as funding by the Department of Energy is concerned, this work will be specified in Programme Letters agreed with the Department and carried out in accordance with the terms and conditions contained in the Letters. Subject to its statutory constraints the AEA should undertake work for customers, whether nuclear or non-nuclear, on the basis of an acceptable return after taking into account any waste management and decommissioning costs to which the work gives rise, and appropriate contributions to overheads (including the corporate research and application development programme). The AEA should have regard to the nature of the work involved in seeking such contributions.

Within the framework of legislation and Government policy, you should ensure that the AEA explores all options for exploiting its technology, including collaborating with other organisations where this is commercially justified or where I indicate that there is a national interest in doing so. You should ensure the AEA informs the Department, at an early stage, of its plans for such collaboration.

You should ensure that the AEA prepares annually a Corporate Plan covering the Public Expenditure Survey period consistent with the business strategy outlined in this letter and taking account of the likely development of each of the main business areas. This should be provided to the Department and contain Business Plans for each main business area. In particular, the Plan should identify those areas where increased resources (money, manpower, research and applications development) are justified by prospects of future profitable business and those where effort should be reduced. The Plan should include a Capital Investment Memorandum setting out the AEA's capital expenditure proposals. The Plan should include contingency planning showing how the AEA would respond to different market out-turns to those assumed in the Plan. I expect to review each year's Plan with you.

Performance Targets

You should propose suitable performance targets consistent with and complementary to the financial target (see below) for approval by the Department.

Financial

I expect you to ensure that the AEA stays within its External Financing Limit (EFL) as agreed from year to year.

I expect you to ensure that the financial target, as set by me from time to time after discussion with the AEA, is achieved. I also expect to require you to surrender distributions of agreed sums from time to time to the Consolidated Fund.

Conclusion

This letter sets out the main strategic objectives for the term of your current appointment. I expect to discuss each annual Corporate Plan with you, to review the AEA's achievements against the specific targets which have been set, and if necessary to set new targets in the light of this discussion and review. The objectives in this letter will be reviewed not later than the Summer of 1993.

TRADE AND INDUSTRY

Iran (Exports)

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry what measures he is taking to encourage British exports to Iran.

Mr. Lilley: My Department, in conjunction with the Committee for Middle East Trade provides advice and information to British exporters to Iran. In order to improve our share of an expanding market, we are, with the assistance of the British Embassy in Tehran, attempting to identify new export opportunities. We are also improving our knowledge of market conditions for the benefit of companies wishing to break into the market. The fairs and promotions branch of my Department has offered financial support to companies wishing to participate in the Iran medical fair to be held in June and it is about to make an offer in respect of the Tehran international fair in October.

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry what were the totals, by value, of United Kingdom exports to Iran for each quarter of 1988, 1989 and 1990.

Mr. Lilley: The value of United Kingdom exports to Iran for 1988, 1989 and 1990 was as follows:

£ million

	1988	*1989*	*1990*
January to March	69·1	68·4	71·6
April to June	62·2	53·3	84·6
July to September	63·3	56·9	107·1
October to December	52·5	78·6	121·4

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry what representations he has received on Export Credits Guarantee Department cover for trade with Iran; and if he will make a statement.

Mr. Lilley: I am aware of the interest being shown by British exporters in business with Iran. Cover is available from the ECGD for exports on credit terms of up to 360 days where payments are secured by irrevocable letters of credit.

The resumption of cover for exports on medium term credit will need to take account of a number of factors including commercial considerations and conditions in the region generally. Some progress would also need to be made on the settlement of the debts outstanding to the United Kingdom on trade which took place prior to the Islamic revolution.

Exports to Iraq

Mr. Morgan: To ask the Secretary of State for Trade and Industry how many licences for diesel generators to be exported to Iraq have been issued in the last five years.

Mr. Lilley: The information needed to answer this question is not readily available and the resources required to obtain it would place an unreasonable burden on the Department and the public purse.

Monopolies and Mergers Commission

Ms. Richardson: To ask the Secretary of State for Trade and Industry whether he will list the current members of the Monopolies and Mergers Commission and give the

relevant experience of each member; how many of the commission are female; and what percentage of the total membership they comprise.

Mr. Redwood: The current members of the Monopolies and Mergers Commission are listed together with a summary of their relevant experience. Two (6 per cent.) are female.

Members of the MMC as at 22 February 1991

Name	*Position*	*Relevant experience*
Sir Sydney Lipworth	Chairman	Co-founder and former Deputy Chairman of Allied Dunbar Assurance plc and Chairman of Allied Dunbar Units Trusts plc. Barrister.
Mr. P. H. Dean	Deputy Chairman	Free-lance business consultant. A former Executive Director of the RTZ Corporation plc. Solicitor.
Mr. H. H. Hunt CBE	Deputy Chairman	Former Managing Director of PA Computers and Telecommunications Ltd (PACTEL). Accountant.
Mr. H. H. Liesner CB	Deputy Chairman	Former Chief Economic Adviser at the Department of Trade and Industry.
Mr. A. Armstrong	Member	Senior lecturer in Economics, Bristol University.
Mr. C. Baillieu	Member	Former Chairman and Managing Director of Ultrasonic Machines.
Mr. I. S. Barter	Member	Former Chairman and Chief Executive of Unigate International Division. Barrister.
Professor M. E. Beesley CBE	Member	Founding Professor of Economics at London Business School and Government Economic Adviser.
Mrs. C. M. Blight	Member	Solicitor and Economist. Member of the Law Society of Scotland, Lecturer at University of Edinburgh and Councillor for Gas Consumers in Scotland.
Mr. F. E Bonner CBE	Member	Former Deputy Chairman of Central Electricity Generating Board. Accountant.
Mr. J. S. Bridgeman	Member	Managing Director, Enterprises Division of British Alcan Aluminium.
Mr. L. Britz	Member	Executive Councillor of the Electrical Electronic Telecommunication and Plumbing Union (EETPU), Southern Region. Director of British International Helicopters.
Mr. K. S. Carmichael CBE	Member	Managing Partner of Longcrofts, Chartered Accountants.
Mr. R. Davies	Member	Former Chairman of the Thomson Travel Group.
Professor S. Eilon	Member	Former Head of Department of Management Science and presently Senior Research Fellow at Imperial College. Management Consultant.
Mr. J. Evans	Member	Former Chairman of the Press Association, of Times Newspapers and of the International Thomson Organisation. Solicitor and Barrister.
Mr. A Ferry MBE	Member	General Secretary of the Confederation of Shipbuilding and Engineering Workers. Director of Harland and Wolff.
Mr. D. G. Goyder	Member	Consultant to Birketts Westhorp and Long of Ipswich and Colchester. Lecturer on Company and Competition law. Solicitor.
Mr. M. Hoffman	Member	Group Chief Executive, Thames Water. Chartered Engineer.
Mr. J. D. Keir QC	Member	Former Joint Secretary of Unilever. Chairman of Pharmacists Review Panel. Barrister.

Name	Position	Relevant experience
Miss P. K. R. Mann	Member	Vice-President of J. Walter Thompson (JWT) International. Editor 'Consumer Affairs'.
Mr. G. C. S. Mather	Member	General Director of the Institute of Economic Affairs. Solicitor.
Mr. L. A. Mills	Member	General Secretary of the Banking Insurance and Finance Union and a member of the TUC General Council. A Governor of London Business School.
Professor A. P. L. Minford	Member	Professor of Applied Economics, Liverpool University.
Mr. J. Montgomery	Member	Former Head of Legal Division and Company Secretary, Shell UK. Solicitor.
Mr. B. Owens	Member	Director of Welsh Water's land and leisure subsidiary and of the Cornish Brewery Company.
Mr. D. P. Thompson RD	Member	Former Director General of the British Invisible Exports Council and Director of Lazards. A Governor of Henley Management College.
Mr. C. A. Unwin MBE	Member	Former Regional Secretary (Midland and East Coast Region) of the General and Municipal Workers Union. A senior Governor of Welbeck College.
Mr. S. Wainwright CBE	Member	Director of Amdahl (UK) Ltd. Former Managing Director of National Girobank and Deputy Chairman of the Post Office.
Professor G. Whittington	Member	Price Waterhouse Professor of Financial Accounting and Fellow of Cambridge University.
Mr. R. Young	Member	An Executive Director of Beauford plc. Former Chief Executive of Plastics Division of McKechnie plc.
Mr. P. Brenan	Reserve Member	Chairman of the London Italian Bank. Accountant and Financial Consultant.
Mr. A. L. Kingshott	Reserve Member	Director of the Crown Agents and of The Private Bank and Trust Company. Former Director of International Banking at Lloyds Bank. Chartered Secretary.
Professor J. F. Pickering	Reserved Member	Vice-President (Business and Finance) of Portsmouth Polytechnic.
Mr. L. Priestly	Reserve Member	Board Member of the Civil Aviation Authority. Former Chairman and Chief Executive of Trustee Saving Bank, England and Wales and Secretary-General of the Committee of London Clearing Banks.

Company Fraud

Mr. Cousins: To ask the Secretary of State for Trade and Industry of he will list those, apart from company directors, who have a statutory duty to report company fraud to any regulators.

Mr. Redwood *[holding answer 11 February 1991]:* There is in general no statutory duty on directors or others to report company fraud to regulators. Certain people, however, are under specific statutory reporting duties which may in some circumstances require them to report fraud. In the areas for which the Department of Trade and Industry is responsible, such duties include:

(i) The duty on a liquidator to report evidence of criminality by any past or present officer of the company, and on a liquidator, official receiver, administrator or administrative receiver to report conduct by a director of a company, which has at any time become insolvent, which makes him unfit to be concerned in the management of a company.

(ii) The obligation on investment businesses to keep their regulators informed of anything concerning the firm which might reasonably be expected to be disclosed to them.

(iii) the duty on listed companies to notify to the International Stock Exchange any information necessary to avoid the creation of a false market in the company's listed securities.

Export Licences

Mr. Flynn: To ask the Secretary of State for Trade and Industry if, pursuant to his reply to the hon. Member for Newport, West, 7 February *Official Report*, column *216*,

he will set out *(a)* the total number of export licences issued by his Department in each year between 1979 to 1988 inclusive and *(b)* the numbers of export licence applications refused in 1989 and 1990 respectively, giving the main reasons why such applications were refused.

Mr. Lilley *[holding answer 20 February 1991]:* In 1987 and 1988 my Department granted 94,613 and 86,605 export licences respectively. Statistics for previous years are not readily available and could be produced only at disproportionate cost.

The number of export licence applications refused in 1989 and 1990 was 281 and 283 respectively. In addition, 3,620 and 3,495 licence applications were cancelled by DTI or withdrawn by the companies concerned in 1989 and 1990 respectively. The main reasons for refusing to grant an export licence are the unacceptable risk to national and collective security and that the export is inconsistent with the Government's policy, in particular on non-proliferation, terrorism and human rights.

Hedgehogs

Mr. Bellotti: To ask the Secretary of State for Trade and Industry what steps he is taking to monitor the level of exports of hedgehogs to the United States and Canada and elsewhere; and if he will make a statement.

Mr. Baldry: I have been asked to reply. Under the provisions of the Endangered Species (Import and Export) Act 1976, anyone wishing to export hedgehogs requires an export permit from my Department. In the last three years three such permits have been issued, authorising the export of eight live hedgehogs to zoos in the United States.

HEALTH

Laboratory Services

Mr. Battle: To ask the Secretary of State for Health (1) whether it is his policy specifically to encourage health authorities to contract out pathology services;

(2) what plans his Department has to increase resources to health authorities to ensure they can improve the efficiency and quantity of laboratory services.

Mr. Dorrell: We have given no specific instructions to health authorities about the contracting out of pathology services or about their level of funding, since it is for each health authority to consider the organisation and level of laboratory provision it requires within its available resources. However, to help improve the efficiency and quality of these services we have given assistance to the Royal College of Pathologists to develop an accreditation scheme for pathology laboratories, and we have commented on the Audit Commission's proposals for the improvement of those services. We are also contributing to the cost of introducing a system of medical audit which will include the pathology discipline, and are funding additional schemes in the national external quality assessment schemes (NEQAS).

Surgical Tights

Mr. Dunn: To ask the Secretary of State for Health what are his plans for the provision of surgical tights under the NHS.

Mr. Dorrell: Elastic or surgical tights are available on the prescription of a hospital consultant when they are supplied through the hospital service. There are no plans to change these arrangements.

Social Surveys

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health whether he has any plans to launch a survey into the current state of family planning provision, consumer needs and attitudes.

Mrs. Virginia Bottomley: We receive information from a number of sources about NHS family planning provision and the needs of those who use this service. I shall shortly be meeting representatives of the main family planning voluntary and professional organisations to discuss family planning issues.

Carers

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health whether he will publish a clear definition of the responsibilities of carers and ensure that such responsibilities are kept under constant review.

Mrs. Virginia Bottomley: The Department has not sought precisely to define a carer nor their responsibilities. The care in the community policies are intended to make practical support for carers a priority and consider their views in community care planning and assessment.

Iraq

Mr. Flynn: To ask the Secretary of State for Health if his Department has made any emergency preparations to assist the Iraqi medical authorities after the end of hostilities in combating the epidemic of water pollution diseases in Iraqi cities arising from the destruction of water supply and sewage systems.

Mr. Dorrell: No. We understand that a joint WHO/UNICEF mission visited Baghdad earlier this month to deliver emergency medical supplies and to assess the essential health needs of the civilian population. Additionally, the International Red Cross Committee has identified serious shortages of drinking water and after notifying the UN Sanctions Committee, dispatched water purification supplies to Baghdad. It is too soon to say what further international support the Iraqi medical authorities might require once hostilities have ended and what contribution, if any, the United Kingdom might make to such an initiative.

North Devon Health Authority

Mr. Speller: To ask the Secretary of State for Health what proposals there are for the purchaser of the North Devon health authority; whether there are any proposals to merge this authority with Torbay or Exeter; and if he will make a statement.

Mrs. Virginia Bottomley: North Devon health authority is embracing the recent Government reforms. We have received no formal proposals to merge North Devon health authority with either Torbay or Exeter health authority. The preparation of any such proposals would initially be a matter for South Western regional health authority, annd the hon. Member may wish to contact Mr. C. Stuart the chairman of that authority for details.

Incontinence Pads

Mr. Latham: To ask the Secretary of State for Health whether he will make a statement on the guidance which he gives to regional health authorities regarding the supply of incontinence pads to elderly people in privately run residential homes.

Mr. Dorrell: Departmental guidance to health authorities on the supply of incontinence pads is contained in HRC(74)16. On 18 February 1991 the NHS management executive wrote to health authorities (EL(91)28), advising that existing incontinence provision should be directed to securing the best practice commended in HN(88)26. Where a change in the supply of incontinence aids is proposed, health authorities should first ensure that an alternative is in place. Copies of these letters are available in the Library. Officials will shortly be beginning a Departmental review of incontinence services.

Speech Therapy

Mr. Cousins: To ask the Secretary of State for Health whether he has agreed guidelines for speech therapy standards with the College of Speech Therapists.

Mr. Dorrell: I understand that the College of Speech Therapists has not yet finalised its guidelines on professional standards. The Department is being consulted about these guidelines.

Mr. Cousins: To ask the Secretary of State for Health how many of the public health needs assessments prepared for district health authorities mention the need for speech therapy services.

Mr. Dorrell: This information is not held centrally.

Irradiated Food

Mr. David Clark: To ask the Secretary of State for Health what advice or guidance he intends to give to local authorities about the use of irradiated foods in establishments run by social services departments such as old people's homes and children's homes; and if he will make a statement.

Mr. Dorrell: No specific guidance on the use of irradiated food in establishments run by social services departments is being issued by the Department. In common with all other catering establishments, local authorities and social services departments who choose to use irradiated products will be required to inform consumers under the requirements of the Food Labelling (Amendment) (Irradiated Food) Regulations 1990.

NHS Funding

Mr. Cousins: To ask the Secretary of State for Health what are the allocations he proposes to make to national health service regions in England for 1991-92; and what these allocations would be if the weighted capitation funding were strictly adhered to.

Mr. Dorrell: 1991-92 represented the second year of progress towards allocations based on weighted capitation. Table 1 shows the 1991-92 main revenue allocations for each region and the percentage increases over 1990-91. No region received less than a 10·24 per cent. increase.

Table 2 shows what each region would have received without a minimum 10·24 per cent. increase.

The figures exclude allocations for items such as the service increment for teaching and research, joint finance, and allocations for other specific purposes.

Table One

Region	*1991-92 Allocation (£000s)*	*Cash Increase percentage*
Northern	985,319	10·24
Yorkshire	1,011,636	10·81
Trent	1,269,521	10·79
East Anglian	595,741	12·19
North West Thames	1,097,165	10·24
North East Thames	1,295,523	10·24
South East Thames	1,221,187	10·24
South West Thames	946,790	10·24
Wessex	872,078	12·45
Oxford	675,428	10·24
South Western	999,988	12·11
West Midlands	1,566,761	10·24
Mersey	775,235	10·24
North Western	1,294,972	10·24
Total	14,853,676	10·66

Table Two

Region	*1991-92 Allocation Before 10·24 per cent. Minimum Applied (£000s)*	*Cash Increase Before 10·24 per cent. Minimum Applied percentage*
Northern	985,763	10·29
Yorkshire	1,128,391	11·54
Trent	1,415,769	11·52
East Anglian	599,670	12·93
North West Thames	1,087,134	9·23
North East Thames	1,283,835	9·25
South East Thames	1,228,938	10·94
South West Thames	945,281	10·06
Wessex	877,830	13·19
Oxford	679,167	10·85
South Western	999,988	12·84
West Midlands	1,566,761	10·37
Mersey	775,235	8·54
North Western	1,294,972	9·25
All RHAs	14,853,676	10·66

Dental Services

Mr. John Greenway: To ask the Secretary of State for Health how many people have registered with dentists under the new dental contract.

Mr. Waldegrave: The number of people in England and Wales registered with dentists under continuing care and capitation arrangements has grown steadily since the new contract started on 1 October 1990 and is now almost 12 million.

Cumulative totals are as follows:

End of month	*Cumulative total*
October 1990	2,091,855
November 1990	5,780,346
December 1990	8,154,903
January 1991	10,592,019

At 19 February 1991, which is the latest date for which figures are available, the number of people registered with dentists was 11,995,665.

NHS Finance

Mr. Robin Cook: To ask the Secretary of State for Health what was the average expenditure per day per patient, in cash and constant prices, for food provisions for hospital in-patients in each year since 1980.

Mr. Dorrell *[holding answer 28 January 1991]:* The information requested for the financial years 1980-81 to 1988-89 (the latest available) is shown in the table.

Hospital costs—England—average costs of catering provisions per patient day

Year	£ (cash)	£ (at 1988-89 prices)
1980-81	1·09	1·56
1981-82	1·18	1·55
1982-83	1·24	1·54
1983-84	1·26	1·50
1984-85	1·32	1·50
1985-86	1·36	1·50
1986-87	1·41	1·50
1987-88	1·49	1·55
1988-89	1·56	1·56

Source:
The annual costing returns (financial returns for 1987-88 and 1988-89) of the district health authorities in England and those of the special health authorities for the London postgraduate teaching hospitals. (Predecessor authorities prior to 1982-83).
Note: The figures have been expressed at 1988-89 prices by the use of the provisions purchases sub-index of the health services prices index.

Health Authorities

Mr. Bowis: To ask the Secretary of State for Health what was the total funding for each health authority for each of the last 11 years; and what was the number of patients treated by each authority over the same period.

Mr. Dorrell *[holding answer 29 January 1991]:* The following tables show the total revenue expenditure and the number of in-patients treated by each health region and the special health authorities for the London postgraduate teaching hospitals for the years 1979-80 to 1989-90.

Equivalent information for each district health authority in England could be provided only at disproportionate cost.

Total revenue expenditure on hospital and community health services (HCHS)

£000 (cash)

Regions	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85
Northern	337,996	437,025	482,670	520,838	553,996	586,852
Yorkshire	380,746	494,198	547,802	583,406	619,586	657,579
Trent	449,348	585,409	646,945	696,746	742,437	795,285
East Anglian	188,939	244,605	269,169	288,951	312,485	335,302
North West Thames	450,636	580,117	649,984	633,215	665,435	701,170
North East Thames	488,198	636,251	700,172	800,677	841,130	881,326
South East Thames	471,151	603,001	662,702	700,421	739,438	772,108
South West Thames	361,292	465,365	515,008	530,393	559,102	586,260
Wessex	271,164	349,377	389,027	418,407	449,145	482,636
Oxford	223,651	285,343	313,135	334,669	352,838	381,948
South Western	332,137	426,839	474,291	507,281	540,430	571,018
West Midlands	532,172	681,869	751,667	809,722	881,251	919,255
Mersey	287,489	368,928	407,417	436,241	456,590	483,314
North Western	463,250	603,630	679,828	729,550	769,183	814,490
Regions Total	5,238,169	6,761,957	7,489,817	7,990,517	8,463,046	8,968,543
SHAs	94,751	123,474	140,168	150,712	162,311	166,311
England	5,332,920	6,885,431	7,629,985	8,141,229	8,625,357	9,134,854

£000 (cash)

Regions	1985-86	1986-87	1987-88	1988-89	1989-90
Northern	620,085	664,666	726,424	802,662	862,403
Yorkshire	699,526	748,109	817,426	901,280	971,646
Trent	843,156	914,488	1,009,393	1,121,344	1,211,905
East Anglian	358,247	389,423	431,278	487,095	528,194
North West Thames	728,848	777,781	832,775	945,712	1,024,712
North East Thames	914,188	976,100	1,048,946	1,178,457	1,276,820
South East Thames	807,525	857,088	928,872	1,039,270	1,115,590
South West Thames	608,276	650,071	744,435	829,204	903,224
Wessex	506,941	549,152	599,818	671,018	724,776
Oxford	402,374	433,809	478,889	537,279	587,380
South Western	603,266	650,026	710,039	788,652	852,097
West Midlands	973,915	1,049,734	1,149,328	1,266,424	1,381,172
Mersey	507,924	542,821	589,166	647,160	699,483
North Western	860,336	922,352	1,002,641	1,104,796	1,174,578
Regions Total	9,434, 607	10,125,620	11,069,430	12,320,353	13,313,980
SHAs	174,792	191,546	207,281	234,692	259,397
England	9,609,399	10,317,166	11,276,711	12,555,045	13,573,377

Number of inpatients treated—Regional totals—1979 to 1990

Regional health authority	Finished hospital stays (discharges and deaths)										Finished consultant episodes	
	1979	1980	1981	1982	1983	1984	1985	1986	1987-88	1988-89	1988-89	1989-90
Northern	368,578	393,788	395,694	376,067	409,115	420,080	433,131	441,095	452,766	461,033	496,617	504,743
Yorkshire	433,783	456,885	465,514	454,013	490,644	499,895	517,543	525,296	549,847	551,458	607,203	607,332
Trent	464,917	497,306	511,888	505,247	543,221	557,930	578,370	592,398	612,890	626,102	678,061	698,776
East Anglia	201,867	216,878	219,385	213,297	229,580	238,332	250,343	253,483	264,117	269,637	301,631	316,710
North West Thames	403,264	412,723	418,144	394,415	408,474	415,559	418,753	419,008	421,582	416,153	462,539	473,930
North East Thames	455,851	473,469	474,758	512,655	526,398	534,760	541,080	530,372	527,585	521,291	588,983	606,278
South East Thames	438,889	433,149	462,239	461,394	477,283	487,772	501,557	495,246	504,666	487,815	546,047	541,962
South West Thames	312,264	320,149	324,683	315,210	329,334	338,587	344,430	347,089	351,932	344,259	394,860	387,551
Wessex	302,772	318,509	322,017	320,936	332,378	345,528	357,311	366,421	389,492	391,376	427,929	441,658
Oxford	251,898	264,990	269,685	266,304	276,523	284,583	297,524	299,270	300,416	296,433	329,661	344,782
South Western	338,890	357,966	365,849	370,348	385,293	399,018	408,004	417,443	443,179	451,586	515,394	521,726
West Midlands	547,773	575,105	582,892	591,061	619,743	644,202	666,217	673,375	708,225	689,457	790,913	810,513
Mersey	282,629	297,465	299,349	293,928	312,615	322,138	330,990	336,944	345,652	347,893	378,984	397,085
North Western	509,049	541,776	554,987	553,727	585,667	597,756	617,628	624,678	644,540	640,548	717,666	728,297
SHA's	87,696	89,843	92,613	91,032	92,317	91,405	90,931	91,671	92,465	90,941	98,960	95,283
England	5,400,120	5,670,001	5,739,877	5,719,634	6,018,585	6,177,545	6,353,812	6,413,789	6,619,354	6,585,982	7,335,448	7,476,626

Sources:

1. Annual accounts of regional and district health authorities in England together with those of the special health authorities for the London postgraduate teaching hospitals. (Predecessor authorities for the years prior to 1982-83).
2. Statistical returns submitted to the Department (SM12).

Notes:

1. Revenue expenditure on HCHS covers that on all services provided by the health authorities concerned including hospital, community health, patient transport (ie ambulance), blood transfusion and other services. Capital expenditure and expenditure on family practitioner services (now family health services) is excluded. However, the expenditure figures for all regions in the years prior to 1985-86 include small elements for the administrative expenses of family practitioner committees which were not separately identified.
2. Following the reports of the steering group on NHS information (the Körner committee) a new definition "finished consultant episode" was introduced to cover both the former in-patient and day case treatment categories. For 1988-89 information was collected under both the new and previous bases and is shown in the table accordingly.

Liverpool Health Authority (Chairman)

Mr. Parry: To ask the Secretary of State for Health what is the salary of the chairman of Liverpool health authority and the contractual working hours.

East Cumbria Health Authority

Mr. Martlew: To ask the Secretary of State for Health what is the salary of the chairman of East Cumbria health authority and the contractual working hours.

Mrs. Virginia Bottomley *[holding answer 11 February 1991]:* With effect from 1 January 1991, chairmen of district health authorities receive remuneration in the range set out in the table. No specific working hours are required by contract, but most DHA chairmen devote an average of three to 3·5 days a week to their duties.

Teaching or[1] Non-Teaching District	Revenue[2]	Remuneration
	£ million	£
Teaching	45 or more	17,610
Non-Teaching	60 or more	
Teaching	45 or less	16,659
Non-Teaching	30 to 60	
Non-Teaching	30 or less	13,812

[1] "Teaching District" means one currently designated as such for the purposes of negotiations in Whitley Councils.

[2] "Revenue" means the annual revenue budget for the financial year 1985-86.

NORTHERN IRELAND

Social Workers

Rev. William McCrea: To ask the Secretary of State for Northern Ireland what action the DHSS is taking to assist in the recruitment and training of specialist social workers for the blind.

Mr. Hanley: The Department of Health and Social Services presently provides funding for the award of 68 new social work bursaries per annum to enable students to obtain certificates of qualifications in social work. This generic qualifying training provides preparation for all aspects of social work. Specialist qualifying training for social workers for the visually impaired is not available. The recent announcement of a new training strategy for personal social services staff provides an additional £1 million for social services training improvements, a proportion of which will be used to increase the supply of qualified social workers through an additional 25 social work bursaries per annum.

Continuing education and training for qualified social workers in specialist areas, including workers with the visually impaired, is provided by Health and Social Services Board and other employers through in-service and post-qualification training programmes. Additional funding to expand and develop relevant programmes of further training has been included in the training strategy funds and will be made available to appropriate employers in the forthcoming financial year.

The Department also provides two bursaries per annum for students undergoing training as rehabilitation workers for the blind.

Farmers

Rev. William McCrea: To ask the Secretary of State for Northern Ireland when he will next attend a meeting with the Ulster Farmers Union to discuss the problems now facing Northern Ireland farmers.

Mr. Hanley: The Secretary of State last met the Ulster Farmers Union on 17 October 1990; I met the union on 7 January. We both met representatives of the union at the Greenmount conference with Commissioner MacSharry on 15 February; I intend to continue to meet the UFU regularly in future.

Life Prisoners

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many persons sentenced to life imprisonment have been released on licence in each month of 1990; and how many years each such person had actually served in prison since conviction.

Dr. Mawhinney: Sixty-six prisoners serving life sentences were released on licence during 1990. Eight other prisoners, detained at the Secretary of State's pleasure, were released on licence in the same period.

The number of years served by these prisoners (including time spent on remand and awaiting trial) at the time of their release on licence is as follows:

Month of Release on Licence	*Sentence*	*Years served* 8	9	10	11	12	13	14	15	16	17
February	Life	—	—	—	—	2	2	3	3	1	—
	SOSP	—	—	—	—	—	—	1	—	—	—
April	Life	—	—	—	—	—	—	—	—	—	1
May	Life	—	—	1	—	2	6	—	2	—	—
	SOSP	—	—	1	—	—	2	2	—	1	—
July	Life	—	—	—	—	1	—	11	14	4	2
	SOSP	—	—	—	—	—	—	—	1	—	—
September	Life	—	—	—	—	—	—	1	—	—	—
October	Life	1	—	—	—	—	—	—	—	—	—
December	Life	—	—	—	—	1	1	3	4	—	—

AGRICULTURE, FISHERIES AND FOOD

Whales

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if he has made any representations to his Japanese counterpart concerning the continued Japanese killing of whales in the south Pacific ocean and Antarctic seas.

Mr. Curry: In June 1990 the United Kingdom co-sponsored a resolution agreed by the International Whaling Commission calling upon Japan to reconsider her intention of conducting scientific research whaling in the Antarctic ocean. Japan is now proceeding with a programme to gather new biological data on the minke whale stocks which has been slightly modified in the light of comments by the IWC's scientific committee and is well aware of our views on scientific whaling.

Farm Sizes

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will give the average farm size in hectares by county in the United Kingdom.

Mr. Curry: The information is shown in the table.

United Kingdom average farm size by county[1]

	Hectares
England	50·1
Avon	30·3
Bedfordshire	59·2
Berkshire	68·0
Buckinghamshire	57·3
Cambridgeshire	64·1
Cheshire	30·1
Cleveland	55·4
Cornwall	29·2
Cumbria	63·5
Derbyshire	39·1
Devon	40·7
Dorset	51·6
Durham	60·6
East Sussex	42·7
Essex	57·5
Gloucestershire	46·8
Greater London	24·8
Greater Manchester	21·3
Hampshire	60·1
Hereford and Worcester	36·5
Hertfordshire	64·8
Humberside	68·8
Isle of Wight	44·1
Isles of Scilly	8·3
Kent	46·1
Lancashire	30·6
Leicestershire	58·3
Lincolnshire	69·3
Merseyside	34·3
North Yorkshire	63·1
Norfolk	62·5
Northamptonshire	81·0
Northumberland	144·8
Nottinghamshire	62·0
Oxfordshire	83·2
Shropshire	45·5
Somerset	35·5
South Yorkshire	44·6
Staffordshire	33·3
Suffolk	67·5
Surrey	30·5
Tyne and Wear	49·7
Warwickshire	52·5
West Midlands	24·6
West Sussex	48·3
West Yorkshire	22·9
Wiltshire	70·1
Scotland	158·8
Borders	222·1
Central	174·0
Dumfries & Galloway	144·2
Fife	90·8
Grampian	96·6
Highland	339·4
Lothian	105·6
Orkney	53·9
Shetland	55·2

	Hectares
Strathclyde	148·4
Tayside	208·4
Western Isles	28·6
Wales	41·4
Clywd	36·2
Dyfed	34·3
Gwent	32·6
Gwynedd	48·4
Mid Glamorgan	45·5
Powys	57·6
South Glamorgan	43·3
West Glamorgan	34·8
Northern Ireland	25·4
Antrim	28·6
Armagh	17·8
Down	22·0
Fermanagh	26·5
Londonderry	29·9
Tyrone	27·0

[1] Including minor holdings in England and Wales excluding minor holdings in Scotland and Northern Ireland.

Note:

Minor holdings in England and Wales are those satisfying ALL these conditions:

1. total area less than 6 ha;
2. no regular whole-time farmer or worker on the holding;
3. annual labour requirement less than 100 standard man-days (smd) where 1 smd = 8 hours productive work by an adult worker under average conditions;
4. glasshouse area less than 100 sq m;
5. occupier does not farm another holding.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the total numbers of confirmed cases of BSE by county in England, Scotland and Wales.

Mr. Gummer: The information up to 15 February 1991 is detailed as follows.

County (County No.)	*Cases*
Northern	
Cleveland (04)	32
Cumbria (08)	431
Durham (12)	87
Humberside (51)	106
Northumberland (31)	91
Tyne and Wear (30)	2
Yorkshire North (48)	880
Yorkshire South (47)	80
Yorkshire West (49)	103
Totals	1,812
Midlands and Western	
Cheshire (06)	603
Derbyshire (09)	347
Hereford and Worcester (18)	444
Lancashire (21)	490
Leicestershire (22)	537
Manchester (44)	17
Merseyside (25)	12
Nottinghamshire (32)	150
Shropshire (35)	573
Staffordshire (37)	449
West Midlands (46)	15
Warwickshire (43)	239
Totals	3,876

County (County No.)	*Cases*
Eastern	
Bedfordshire (01)	61
Cambridgeshire (05)	89
Essex (13)	99
Hertfordshire (18)	108
Lincolnshire (24)	195
Norfolk (28)	361
Northamptonshire (29)	200
Suffolk (38)	278
Totals	1,391
South-East	
Berkshire (02)	150
Buckinghamshire (03)	210
Hampshire (15)	904
Isle of Wight (16)	174
Kent (20)	510
London (26/27)	9
Oxfordshire (33)	369
Surrey (40)	229
Sussex East (41)	315
Sussex West (42)	603
Totals	3,473
South-West	
Avon (34)	478
Cornwall (07)	1,786
Devon (10)	2,566
Dorset (11)	2,027
Gloucester (14)	712
Somerset (36)	2,005
Wiltshire (45)	1,449
Totals	11,023
Wales	
Clwyd (56)	231
Dyfed (55)	927
Glamorgan Mid (58)	56
Glamorgan South (57)	61
Glamorgan West (59)	11
Gwent (60)	175
Gwynedd (52)	67
Powys (52)	215
Totals	1,743
Scotland South	
Borders (93)	34
Central (94)	25
Dumfries (99)	147
Lothian (92)	20
Strathclyde (95/96)	209
Scotland North	
Fife (91)	51
Grampian (88)	161
Highland (87)	49
Orkney (83)	9
Shetland (82)	2
Tayside (90)	66
Western Isles (?)	1
Totals	774

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will give the number of *(a)* suspected and *(b)* confirmed cases of BSE by county in England, Wales and Scotland for (i) 1990 and (ii) to date in 1991.

Mr. Gummer: The information requested is as follows:

Number of confirmed cases and total reported cases in 1990

County	Positive	Total
Eastern		
Bedfordshire	38	42
Cambridgeshire	56	62
Essex	60	78
Hertfordshire	65	79
Lincolnshire	94	111
Norfolk	234	281
Northamptonshire	119	136
Suffolk	161	192
Midland and West		
Cheshire	422	493
Derbyshire	240	275
Hereford and Worcester	243	307
Lancashire	330	442
Leicestershire	315	379
Manchester	10	13
Merseyside	7	10
Nottinghamshire	98	117
Shropshire	317	408
Staffordshire	293	362
West Midlands	7	8
Warwickshire	141	182
Northern		
Cleveland	20	23
Cumbria	264	318
Durham	60	78
Humberside	77	94
Northumberland	49	63
Tyne and Wear	1	3
North Yorkshire	539	720
South Yorkshire	57	64
West Yorkshire	70	91
South East		
Berkshire	63	82
Buckinghamshire	136	162
Hampshire	446	517
Isle of Wight	110	133
Kent	250	286
London	5	6
Oxfordshire	203	237
Surrey	117	148
Sussex East	178	214
Sussex West	329	378
South West		
Avon	314	430
Cornwall	909	1,170
Devon	1,330	1,587
Dorset	1,129	1,369
Gloucestershire	350	471
Somerset	1,251	1,500
Wiltshire	806	1,081
Wales		
Clwyd	144	310
Dyfed	582	690
Glamorgan North	38	43
Glamorgan South	22	24
Glamorgan West	8	10
Gwent	87	118
Gwynedd	30	47
Powys	126	170
Scotland		
Borders	23	33
Central	13	20
Dumfries	90	134
Fife	39	49
Grampian	101	174
Highland	28	37
Lothian	10	16
Orkney	5	6
Shetland	0	1
Strathclyde	127	180
Tayside	42	63
Total	13,828	17,327

Number of confirmed cases and total reported cases 1/1/91—15/2/91

County	Positive	Total
Eastern		
Bedfordshire	0	8
Cambridge	0	7
Essex	0	10
Hertfordshire	0	13
Lincolnshire	4	30
Norfolk	9	60
Northamptonshire	2	22
Suffolk	8	31
Midland and West		
Cheshire	14	108
Derbyshire	0	54
Hertfordshire and Worcestershire	4	63
Lancashire	7	84
Leicestershire	0	68
Manchester	1	10
Merseyside	0	0
Nottinghamshire	0	18
Salop	7	76
Staffordshire	3	56
West Midlands	0	3
Warwickshire	3	29
Northern		
Cleveland	1	3
Cumbria	8	62
Durham	0	8
Humberside	1	10
Northumberland	1	19
Tyne and Wear	0	0
Yorkshire North	42	149
Yorkshire South	7	11
Yorkshire West	5	10
South East		
Berkshire	1	20
Buckinghamshire	2	22
Hampshire	5	97
Isle of Wight	0	21
Kent	4	41
London	0	3
Oxfordshire	0	46
Surrey	1	15
Sussex East	4	50
Sussex West	3	84
South West		
Avon	0	113
Cornwall	26	257
Devon	51	339
Dorset	51	273
Gloucestershire	3	116
Somerset	44	345
Wiltshire	19	221
Wales		
Clwyd	13	59
Dyfed	29	169
Glamorgan Mid	0	5
Glamorgan South	0	6
Glamorgan West	0	2
Gwent	3	17
Gwynedd	0	8
Powys	6	33
Scotland		
Borders	0	7
Central	2	3

County	Positive	Total
Dumfries	16	29
Fife	1	2
Grampian	6	22
Highland	4	8
Lothian	0	1
Orkney	0	0
Shetland	0	1
Strathclyde	13	32
Tayside	3	10
Total	427	3,519

Milk Marketing Scheme

Mr. Turner: To ask the Minister of Agriculture, Fisheries and Food if he will publish the report of the Consumers Committee for England and Wales on the milk marketing scheme 1933.

Mr. Gummer *[pursuant to his reply, 14 January 1991, c. 391]:* The report of the Consumers Committee for England and Wales of the milk marketing scheme 1933 is being published today. Copies of the report will be placed in the Library of the House.

EMPLOYMENT

Public Expenditure

Mr. Leighton: To ask the Secretary of State for Employment if he will make a statement on the differences between the 1990-91 plans published in the 1990 public expenditure White Paper and the 1990-91 estimated outturn.

Mr. Jackson: My Department's report, copies of which are available in the Library, contains in paragraph 20 the information requested.

Mr. Leighton: To ask the Secretary of State for Employment what new commitments have been undertaken since publication of the 1990 public expenditure White Paper which will involve spending in years after 1993-94.

Mr. Jackson: The new schemes undertaken are as follows:

The job interview guarantee is a new initiative which guarantees all participants an interview for a specific vacancy: it aims to change employers' perceptions of long-term unemployed people and assist long-term claimants to cope more effectively in the jobs market. It is now being extended beyond the inner city areas where it was successfully piloted.

Programme development funds pilots provide local flexibility of funding to tailor action to special inner city needs.

Training credits are being piloted by 10 training and enterprise councils. The credits allow young people to "buy" approved training from an employer or specialist provider. The pilots will be evaluated and decisions made on whether to further extend the schemes.

The teacher placement service, responsibility for which transfers from the DTI in April 1991, is expected to involve spending after 1993-94. It is the intention of the Government to transfer ministerial responsibility for offshore oil safety to my Department during 1991.

Capital Projects

Mr. Leighton: To ask the Secretary of State for Employment what major new capital projects have been started since last year's public expenditure White Paper; and what costs will arise from them in 1990-91 and future years.

Mr. Jackson: Information on capital projects is collated yearly for the supply estimate. Listed in the table are the major capital projects over £500,000 which have been started since the publication of the 1990-91 supply estimate.

(£'000s)

Project	1990-91 expenditure	Future years expenditure
Sheffield DEHQ mainframe computer	500	3,284
Integration of Employment Service computer systems	1,007	3,022
Construction of Corby ES office	964	848
Construction of Great Yarmouth ES office	246	1,908
New ES area office Derby	106	796
New ES area office Nottingham	212	318
New Hackney, Victoria park ES office	22	1,588
Refurbishment Shoreditch ES office	96	858
Construction Everton ES office	423	796
Refurbishment Whyteshawe ES office	454	552
New Cheetham Hill ES office	158	848
New Wrexham ES office	451	1,957
New Rhyl ES office	424	1,060

Departmental Annual Report

Mr. Leighton: To ask the Secretary of State for Employment how many measures of performance are contained in the current year's annual report; and how many there were in last year's; whether any measures of performance have been enhanced or dropped as a result of a review of performance indicators; and whether the previous year's targets have been met.

Mr. Jackson: My Department now measures performance through labour market outcomes and end products rather levels of activity as in last year's public expenditure White Paper. Measures of performance in the two documents are therefore not comparable.

For the Employment Service (ES), last year's public expenditure White Paper set out levels of activity in advance of its becoming a "next steps" agency. Performance targets to which ES has been working are set out in the 1990-91 annual performance agreement which was published in April 1990. The chief executive of the ES will report to my right hon. and learned Friend on ES achievements and use of resources at the end of the financial year. The report will be published in the summer. Discussions on the targets for the 1991-92 annual performance agreement are well advanced and I intend to place a copy in the Library by the beginning of April.

Programmes administered through training and enterprise councils (TECs) will be increasingly measured by the achievement of outputs rather than simply activity. This is in line with the move to output related funding for TECs. The TEC network will be fully established by September 1991.

Performance measures for the Health and Safety Executive and ACAS are largely unchanged from last year and overall are being met.

The estimated performance for 1990-91 is shown in the tables in my departmental report, copies of which are available in the Library of the House.

Employment Legislation Tribunals

Mrs. Mahon: To ask the Secretary of State for Employment whether employers have access to the names of employees who have taken companies to tribunals under the Race Relations Act 1976, Sex Discrimination Act 1975 and other employment legislation.

Mr. Forth: As with cases heard by most other courts, applications to industrial tribunals, and the tribunals' decisions, are required by law to be entered on to a register which is held at the central office of the industrial tribunals and is open to inspection by the public.

Labour Statistics

Mr. Battle: To ask the Secretary of State for Employment what is the number and proportion of the Leeds work force in *(a)* the service sector and *(b)* the manufacturing sector in each year from 1979 to 1990.

Mr. Jackson: Employment estimates for local areas are compiled only when censuses of employment are taken. They cover employees in employment only and exclude the self-employed and also members of Her Majesty's forces.

The available information from censuses of employment taken in 1981, 1984 and 1987 is given in the table.

Employees in employment in manufacturing and in service industries in the Leeds travel-to-work area

Divisions of the standard industrial classification 1980	*September 1981*		*September 1984*		*September 1987*	
	Number (000s)	*Per cent.*[1]	*Number (000s)*	*Per cent.*[1]	*Number (000s)*	*Per cent.*[1]
2-4 Manufacturing industries	81·8	27·5	67·8	23·4	68·2	23·5
6-9 Service industries	187·5	63·0	195·6	67·4	197·0	68·0

[1] Percentage of all employees in the travel-to-work area.

Mining Accidents

Mr. Alison: To ask the Secretary of State for Employment what was the annual average number of fatalities and major injuries in British Coal's mines in 1969-70, 1979-80 and 1989-90.

Mr. Forth: The information requested is as follows:

Year	*British Coal Corporation's mines*	
	Average number of fatalities	*Average number of major injuries*
1969-70	96	677
1979-80	44	493
1989-90[1]	15	580

[1] Figures for 1989 and 1990 are provisional. Statutory changes in the recording of serious and major injury reporting took place in 1981 and 1986, both widening the scope of reportable injuries. As a result of these changes, accidents recorded after 1986 are not comparable with earlier years.

Vocational Training

Mr. Harry Barnes: To ask the Secretary of State for Employment (1) if he has any plans to encourage the extension of training facilities for unemployed people who wish to obtain heavy goods vehicle licences as a means of improving their job prospects;

(2) if he will draw up proposals to provide for free driving lessons for unemployed people who wish to learn to drive as a means of improving their job prospects.

Mr. Jackson: It is for training and enterprise councils to determine the vocational training provision they will support for unemployed people in the light of the local labour market.

Restart Courses

Mr. Harry Barnes: To ask the Secretary of State for Employment if he will draw up proposals to include education studies falling within the 21-hour rule as an option for Restart courses.

Mr. Jackson: No; since the two serve different purposes. The 21-hour rule enables unemployed income support claimants to follow part-time education courses for up to 21 hours a week while continuing to receive benefit. Restart courses are short-term courses designed to help longer-term unemployed people to build confidence and motivation and plan their way back to work. Many claimants who take up educational opportunities under the 21-hour rule can also benefit from a Restart course. People who are studying under the 21-hour rule can normally attend Restart courses without disruption to their studies, for example, during vacations.

Mr. Harry Barnes: To ask the Secretary of State for Employment what percentages of those on compulsory Restart courses obtain employment at their conclusion.

Mr. Jackson: Questions on operational matters in the Employment Service Executive Agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Long-term Unemployed

Mr. Harry Barnes: To ask the Secretary of State for Employment what percentage of job vacancies is taken up by the long-term unemployed.

Mr. Jackson: Questions on operational matters in the Employment Service executive agency are the responsibility of Mike Fogden, the agency's chief Executive, to whom I have referred this question for reply.

Mr. Harry Barnes: To ask the Secretary of State for Employment what measures he has undertaken to encourage employers to provide jobs for the long-term unemployed.

Mr. Jackson: We have in place an extensive range of employment and training measures to help long-term unemployed people compete more effectively in the labour market. The job interview guarantee specifically aims to encourage employers to consider long-term unemployed

people for their vacancies and has had proven success in helping people back into jobs in the difficult labour markets of the inner cities. The Secretary of State for Employment has announced that, from April 1991, we shall be providing up to 100,000 additional opportunities in programmes such as the job interview guarantee and job club which provide help in securing job interviews and jobsearch.

South Glamorgan TEC

Mr. Morgan: To ask the Secretary of State for Employment what level of financial commitment he has made to fund the new South Glamorgan TEC headquarters; and on what terms.

Mr. Jackson: My Department has not yet agreed the precise level of financial contribution it will make to the funding of the new South Glamorgan TEC headquarters.

Mr. Morgan: To ask the Secretary of State for Employment on what date he first made a financial commitment to assist the new South Glamorgan TEC headquarters project.

Mr. Jackson: My Department gave initial agreement to make a financial contribution to the cost of the new South Glamorgan TEC headquarters in September 1990.

Parliamentary Questions

Mr. Nellist: To ask the Secretary of State for Employment what is the average cost of answering a parliamentary question for written answer to the Department of Employment.

Mr. Jackson: The average cost of answering a written parliamentary question is not routinely recorded in the Employment Department. Estimates are, however, made where there is a likelihood of exceeding the disproportionate cost threshold (currently £250). However, following an interdepartmental exercise in 1972 in which the Employment Department participated an assessment was made of the average cost throughout all Departments of answering a written question. This assessment was based on staff time, using average rates of pay and associated costs for the grades concerned, together with a share of the cost of parliamentary sections and any substantial non-staff costs such as computer usage. This assessed figure is regularly updated and currently stands at £64.

HOUSE OF COMMONS

European Standing Committees

Mr. Teddy Taylor: To ask the Lord President of the Council if he will take steps to give the members of the European Standing Committees notification of the dates which have been listed for consideration by the appropriate Councils of Ministers of documents which have been referred to the Standing Committees.

Mr. MacGregor: The expected timetable for Council consideration of an EC document is set out in general terms in the Government's explanatory memorandum on the document. In addition, monthly forecasts of the agendas for individual Council meetings are placed in the Vote Office (though these are subject to last-minute changes). However, the Government have stated their commitment to holding scrutiny debates early in the consideration of a proposal and certainly before its adoption by the Council wherever possible.

House of Commons Accommodation

Mr. Wilshire: To ask the Lord President of the Council what inquiries he has made into the leasing of offices at 7 Millbank, London SW1, for use as staff or hon. Members' accommodation.

Mr. MacGregor: I understand that No. 7 Millbank is one of a number of properties at present under consideration by my right hon. Friend the Secretary of State for the Environment to provide accommodation for the House.

WALES

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales what is his most up-to-date estimate of the number of jobs that have been created by the Cardiff Bay development corporation since its inception.

Mr. David Hunt: The activities of Cardiff Bay development corporation are aimed primarily at facilitating development by the private sector. The following table shows the result of the earliest and most recent surveys of businesses in the corporation's designated area since its inception.

Date of Survey	*Number of Businesses in CBDC area*	*Number of Employees in Businesses Responding*	*Number of Businesses not Responding*
January 1988	861	15,247	64
September 1990	901	17,032	87

Trunk Roads

Mr. Wigley: To ask the Secretary of State for Wales if he will publish a table showing each of the trunk road improvement schemes in Wales scheduled to start between the current time and April 1994 and which will cost in excess of £1 million; and if he will indicate the order of priority of these schemes in relation to the finance available.

Sir Wyn Roberts: The 1991 departmental report (Cm. 1516) published on 15 February indicated the following planned starts in 1991-92:

M4 Brynglas Tunnels and Malpas Relief Road
M4 Briton Ferry-Earlswood
A483 Welshpool Relief Road

Construction of the M4 Baglan-Briton ferry scheme is planned to start six months after the Briton Ferry-Earlswood scheme to achieve simultaneous completion.

Other schemes in the short term programme, to start before April 1994, are shown in the 1991 supplement to "Roads in Wales: Progress and Plans for the 1990s", which was published on 25 February. The precise timing and order of starts will depend on completion of engineering, design and statutory procedures, and the availability of finance.

Bathing Beaches

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* for each designated beach in Wales for the 1990 bathing season *(a)* the date and time of each sample taken for total coliforms and E. Coli and *(b)* the actual levels of total coliforms and E. Coli present in each sample.

Mr. Nicholas Bennett: The data requested is on the public registers maintained by the Welsh region of the National Rivers Authority, and available for inspection during normal working hours at its offices. A summary of the information is contained within the report prepared under article 13 of the EC bathing water directive, a copy of which has been placed in the Library of the House.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* for each non-designated beach in Wales for the 1990 bathing season *(a)* the date and time of each sample taken for total coliforms and E. Coli and *(b)* the actual levels of total coliforms and E. Coli present in each sample.

Mr. Nicholas Bennett: The data in respect of non-designated bathing waters monitored by the National Rivers Authority is kept on public registers maintained by the authority and available for inspection during normal working hours at its offices.

Aluminium

Mr. Gareth Wardell: To ask the Secretary of State for Wales what steps are being taken to reduce the ingestion of aluminium into the human body.

Mr. Nicholas Bennett: Aluminium is an abundant mineral to which all individuals receive widespread exposure from several sources. A review by the independent Committee on Toxicity in 1985 concluded that existing levels of aluminium in food were not a cause for concern. Intakes of aluminium through food continue to be monitored.

The Water Supply (Water Quality) Regulations 1989 lay down a standard of 200 microgrammes per litre for aluminium in water. This standard is not related to toxicity but was set for reasons of water quality. There are no plans to reduce this level.

Fluorine

Mr. Gareth Wardell: To ask the Secretary of State for Wales what information he has on the link between certain industrial processes and the deposit of fluorine in the populations of those residing near such processes.

Mr. Nicholas Bennett: I am informed that Her Majesty' inspectorate of pollution is aware of the release of fluorides to air from works for which it has responsibilities. Emission limits for fluorides are specified at a level which, following dispersion, should not present any problems to local inhabitants. I understand there is no evidence to suggest that releases of fluorides from industrial installations in Wales represent any health risk to local communities.

Opencast Mining

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish a list of opencast coal planning applications by British Coal that have been refused by the mineral planning authorities, and appeals that have been lodged by his Department; and if he will indicate for each case *(a)* the date of the refusal, *(b)* the date of the appeal, *(c)* the date that the inspector submitted his report to the Secretary of State, *(d)* the date when he announced his decision and *(e)* whether the appeal was granted or refused.

Mr. David Hunt: Information on applications refused by mineral planning authorities is not held centrally. Information on appeals to the Secretary of State which have not been subsequently withdrawn is as follows:

Site	*Date of refusal*	*Date of appeal*	*Date report received*	*Date of decision*	*Result*
Garnant Farm, Amman Valley, Dyfed	12 July 1984	28 November 1984	18 April 1986	22 July 1986	Allowed
Llanilid West, Llanharan Mid Glamorgan	14 March 1986	27 March 1986	5 June 1987	15 October 1987	Dismissed
Brynhenllys, Upper Cwmtwrch, Powys	24 March 1986	21 April 1986	4 August 1987	21 October 1987	Dismissed
Park Slip, Mid Glamorgan (Relaxation of condition)	4 August 1987	6 August 1987	Inspector decision	25 January 1988	Dismissed
Cheapside, Ewloe, Clwyd	24 February 1987	5 May 1987	23 May 1988	20 July 1988	Dismissed
Derlwyn, Glynneath, West Glamorgan	17 July 1987	30 July 1987	(2 reports) 1 September 1988 17 August 1989	10 November 1989	Allowed
Llanilid West Revised, Llanharan, Mid Glamorgan	19 September 1989	12 December 1989	17 September 1990	—	Not yet decided
Bannel Bridge, Buckley, Clwyd[1]	9 August 1990	10 December 1990	—	—	—
Brynhenllys Brecknock, Powys[1]	20 July 1990	7 September 1990	—	—	—
Park Slip West North of Cefn Cribwr, Mid Glamorgan[1]	2 November 1990	20 December 1990	—	—	—

[1] Inquiry not yet held.

Waste Disposal

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he intends to require local authorities in Wales to update their 1985 local waste disposal plans and to deposit those plans with his Department.

Mr. Nicholas Bennett: No. Under the provisions of the Environmental Protection Act 1990 each authority will be required to prepare a waste disposal plan and to send a copy to the Secretary of State.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish a list of planning applications for a landfill waste disposal site that he has called in for his own determination during the past 10 years.

Mr. Nicholas Bennett: None has been called in during the past 10 years.

Fish Farming

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will make a statement on his Department's current involvement with matters relating to fish farming in coastal waters.

Mr. David Hunt: The responsibilities of United Kingdom Fisheries Departments, including the Welsh Office, for fish farming are set out in the memorandum "Fish Farming in the UK" submitted to the House of Commons Agriculture Committee in October 1989.

Training

Mr. Rowlands: To ask the Secretary of State for Wales whether he will provide the figures for Wales corresponding to those given in tables 6.6 and 6.8 on employment and youth training published in Cm 1506.

Mr. David Hunt: The information requested is not readily available and I shall reply to the hon. Gentleman as soon as possible.

Farming

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will take steps to ensure that the basic hill livestock compensatory allowance form is sent out to all relevant farmers at the earliest possible date.

Mr. David Hunt: The HLCA claim forms were issued to farmers on 7 February.

Labour Statistics

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has of the number of people employed in mining and manufacturing in Merthyr and Rhymney, and in Wales; what percentage these are of the total employed; and what the comparable figures were in 1979.

Mr. David Hunt: The latest available estimates for the Merthyr and Rhymney travel-to-work area, from the September 1987 census of employment, are given in the following table.

Comparable figures for the Merthyr and Rhymney travel-to-work area are not available for years prior to 1981. Estimates from the September 1981 census of employment are provided as follows.

Employees in employment

	Year	Merthyr and Rhymney		Wales	
		Number	*Percentage of total employees*	*Number*	*Percentage of total employees*
Coal mining[1]	1981	7,400	16·6	34,800	3·7
	1987	4,600	10·0	14,600	1·6
Manufacturing[2]	1981	14,500	32·6	238,100	25·4
	1987	14,300	31·1	224,300	24·3

[1] Activity headings 1113-1115 of 1980 SIC.
[2] Divisions 2-4 of 1980 SIC.

Education

Mr. Morgan: To ask the Secretary of State for Wales if he will meet the directors and principals of all the Welsh colleges selected for direct funding from 1 April 1992 to discuss the particular financial problems of sustaining workshop-based vocational educational higher education courses.

Sir Wyn Roberts: Officials from the Welsh Office are scheduled to meet the director of the Polytechnic for Wales and the principals of the higher education colleges concerned shortly to discuss a range of issues arising from the proposed transfer. Further meetings will be arranged as necessary.

Local Plans

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list the date when each local authority in Wales deposited their local plans with his Department.

Mr. Nicholas Bennett: Local planning authorities are required to place local plans on deposit for public inspection and to send copies of those plans to the Secretary of State. The dates when each local planning authority in Wales deposited local plans were as follows:

Authority	*Local plan*	*Deposited*
Aberconwy BC	Llandudno/Conwy	14 February 1980
Afan BC	Upper Afan Valley	14 August 1981
Arfon BC	Rural Arfon	9 December 1987
Arfon BC/Isle of Anglesey BC[1]	Menai Strait	3 July 1980
Blaenau Gwent BC	Tredegar	1 September 1983
Blaenau Gwent BC	Abertillery	30 April 1987
Blaenau Gwent BC	Ebbw Vale	18 August 1988
Blaenau Gwent BC	Brynmawr, Nantyglo and Blaina	19 April 1990
Brecknock BC, Radnorr DC, Powys CC[1]	Hay/Talgarth and District	13 January 1986
Brecknock BC, Radnor DC, Powys CC[1]	Central Powys	13 January 1986
Cardiff CC	East Moors	7 December 1979
Cardiff CC	South Butetown	23 June 1980
Cardiff CC	West Ely/St. Fagans	11 December 1980
Cardiff CC	North Butetown	27 July 1981
Cardiff CC	Lisvane	3 April 1981
Cardiff CC	Radyr/Morganstown	19 February 1981
Cardiff CC	Canton/Riverside	24 November 1983
Cardiff CC	Adamsdown/Splott	1 July 1985
Cardiff CC	Tongwynlais and the Wenallt	7 October 1985
Cardiff CC	Grangetown	10 June 1987
Clwyd CC	Special Landscape Area	3 January 1984
Colwyn BC	Coastal Colwyn	28 July 1988

Authority	Local plan	Deposited
Cynon Valley BC	Hirwaun and District	4 November 1982
Cynon Valley BC	Abernant/Plasdraw	8 March 1984
Cynon Valley BC	Aberaman/ Abercwmboi and Cwmbach	8 March 1984
Cynon Valley BC	Cwmdare/Trecynon and Llwydcoed	8 March 1984
Cynon Valley BC	Aman Valley	8 March 1984
Cynon Valley BC	Ynysybwl	6 March 1986
Cynon Valley BC	Abercynon	10 November 1988
Delyn BC	Mold	28 January 1983
Delyn BC	Delyn	31 May 1990
Dyfed CC	Black Mountain	1 November 1984
Dwyfor DC/ Gwynedd CC[1]	Porthmadog/ Pfestiniog	4 November 1977
Dwyfor DC	Pwllheli	15 July 1988
Dwyfor DC	Rural Dwyfor	2 July 1982
Gwent CC	Brynmawr	4 January 1980
Gwent CC	Gilwern	15 December 1983
Gwynedd CC	Touring Caravans and Tents	4 November 1977
Gwynedd CC	Ardudwy	20 March 1981
Gwynedd CC	Llanelltyd	20 March 1981
Islwyn BC	Trinant and Pentwyn	10 August 1981
Llanelli BC	Wern Action Area	29 October 1983
Lliw Valley BC	Southern Lliw Valley	20 July 1984
Lliw Valley BC	Northern Lliw Valley	14 September 1990
Mid Glamorgan CC	Nelson and Treharris	9 September 1982
Mid Glamorgan CC	Central Aberdare	8 March 1984
Mid Glamorgan CC	Llantrisant	19 April 1985
Monmouth BC	Abergavenny	12 January 1989
Monmouth BC	Chepstow	15 March 1990
Newport BC	Marshfield and Castleton	15 December 1986
Newportt BC	South East Newport	23 July 1984
Ogwr BC	Ogmore and Garw	16 May 1983
Ogwr BC	Greater Bridgend	8 September 1983
Ogwr BC	Kenfig-Pyle	15 August 1985
Port Talbot BC	Cwmafan, Bryn, Goytre Valley and Rural Margam	20 October 1987
Powys CC/Brecknock BC	Brecon and District	31 March 1989
Rhondda BC	Rhondda	30 December 1983
Rhondda BC	Tonypandy and Clydach Vale	22 February 1990
Rhuddlan BC	Rhuddlan Borough	26 May 1988
Rhymney Valley DC	Caerphilly Basin	14 July 1982
Rhymney Valley DC	Mid Rhymney Valley	18 June 1985
Rhymney Valley DC	Upper Rhymney Valley	8 November 1985
Swansea CC	Swansea	9 May 1983
Torfaen BC	South East Pontypool	15 March 1982
Vale of Glamorgan BC	Barry	3 February 1982
Vale of Glamorgan BC	Barry-Penarth Coastal	3 February 1982
Vale of Glamorgan BC	Cowbridge	21 February 1983
Vale of Glamorgan BC	East Vale	12 October 1984
Wrexham Maelor BC	Wrexham Maelor	28 November 1986

[1] Denotes joint local plans.

"Roads in Wales"

Mr. Gwilym Jones: To ask the Secretary of State for Wales when he intends updating the information given in the Welsh Office publication "Roads in Wales: Progress and Plans for the 1990s" published in April 1989.

Mr. David Hunt: I am pleased to announce that I have issued today a 1991 supplement to "Roads in Wales". Copies have been placed in the Library of the House.

TRANSPORT

Rail Electrification

Mr. Galbraith: To ask the Secretary of State for Transport, further to his answer of 1 February to the hon. Member for Strathkelvin and Bearsden, *Official Report*, column 699, whether the 10 per cent. of routes electrified in Scotland include those under the control of Strathclyde PTE/section 20 areas.

Mr. Freeman: My previous answer did not include electrified routes in Strathclyde. Including those increases the percentage of BR's total route mileage in Scotland which is electrified, including projects approved or under construction, to around 23 per cent. In the Strathclyde area some 203 out of 282 route miles (72 per cent.) are electrified.

M6

Mrs. Golding: To ask the Secretary of State for Transport if he will list his proposals for widening the M6 between Birmingham and Manchester; what streiches will be affected; what consultations he intends to have on the proposals; and whether he will make a statement.

Mr. Chope: Schemes for the widening of the M6 between Birmingham and Manchester were announced as part of the Government's expanded trunk road programme in the White Paper "Roads for Prosperity", presented to Parliament in May 1989. Consultants are currently examining the various ways of providing extra capacity on this motorway. There has been discussion with local authorities and others as part of this process. I hope that we shall be able to announce detailed proposals towards the end of the year.

Auxiliary Coastguards

Mr. Steen: To ask the Secretary of State for Transport what assessment has been made of any increased danger to the public as a result of the reduction in manpower and equipment of the auxiliary coastguard service;

(2) what changes are planned by way of manpower and equipment for Prawle Point coastguard centre.

(3) what changes are planned by way of manpower and equipment for Dartmouth auxiliary coastguard station;

(4) if he will initiate a study into the implications of savings in the coastguard auxiliary service for risk of injury or death to those in difficulties on the seas or along the south Devon cliff coastline;

(5) what changes are planned by way of manpower and equipment for Yealm auxiliary coastguard station;

(6) what changes are planned by way of manpower or equipment for Bigbury auxiliary coastguard station;

(7) what changes are planned by way of manpower and equipment for Hope Cove auxiliary coastguard centre;

(8) if he will make a statement about future manning levels at the Hope Cove auxiliary sector office;

(9) what plans he has over the next five years to alter levels of manpower and equipment along the coastline of South Hams.

Mr. McLoughlin: Recommendations relating to changes to Her Majesty's coastguard's manpower and equipment were made by an internal review of the Coastguard Sector Organisation and Auxiliary Service. Local coastguard senior management is holding discussions with local interests and staff about the implications of these recommendations in each region. No decisions will be taken on the review's recommendations until the implications have been fully assessed, and full account has been taken of local circumstances and conditions.

Mr. Steen: To ask the Secretary of State for Transport if he will list the incidents in the Hope cove and Prawle point sectors for each of the last five years which have involved the search and rescue teams of the auxiliary coastguards of Brixham district.

Mr. McLoughlin: The number of actual and potential search and rescue incidents attended by auxiliary coastguards at the five stations in Hope cove and Prawle point sectors for the years 1986-1990 are as follows:

Falmouth coastguard region—Hope cove and Prawle sectors incidents by station 1986-1990

	Coastguard station					
	Yealm (Hope cove)	*Bigbury (Hope cove)*	*Hope cove (Hope cove)*	*Prawle (Prawle)*	*Dartmouth (Prawle)*	*Totals*
1986						
A	3	—	9	8	3	23
B	2	1	6	1	1	11
C	5	4	14	10	19	43
D	1	—	6	3	—	10
1987						
A	1	1	4	6	2	14
B	—	—	2	2	—	4
C	4	5	8	13	17	47
D	2	1	10	1	—	14
1988						
A	2	2	5	9	3	21
B	1	1	3	—	2	7
C	5	4	6	11	4	30
D	2	4	11	1	—	18
1989						
A	5	19	4	5	2	35
B	1	3	2	3	2	11
C	2	3	6	2	1	14
D	1	—	11	1	—	13

	Coastguard station					
	Yealm (Hope cove)	Bigbury (Hope cove)	Hope cove (Hope cove)	Prawle (Prawle)	Dartmouth (Prawle)	Totals
1990						
A	1	3	7	6	10	27
B	1	3	6	2	2	14
C	3	3	6	—	1	13
D	—	1	4	—	—	5
Five year total	42	58	130	84	60	374

Incident Legends:
A: Investigation/Coordination.
B: Cliff rescues.
C: Coastal searches.
D: Other rescues.

Mr. Steen: To ask the Secretary of State for Transport what was the remit given to the chief coastguard to review coastguard sector organisation and coastguard auxiliary service; and by whom this review was initiated.

Mr. McLoughlin: The review of the Coastguard Sector Organisation and Auxiliary Service was an internal review initiated by the previous chief coastguard as part of the marine directorate's programme of reviews of administration and operations. Its terms of reference were:

"To examine the nature of HM Coastguard's commitments on the coastline, reporting on the adequacy and value for money of the present arrangements; and proposing changes if necessary."

Mr. Steen: To ask the Secretary of State for Transport what changes are planned by way of manpower and equipment for Brixham district controller's office of the coastguard.

Mr. McLoughlin: No changes are contemplated in the manning or equipping of the district controller Brixham's district office.

Mr. Steen: To ask the Secretary of State for Transport if he will make a statement on the use of the GP boat attached to the Hope Cove auxiliary coastguard sector office in the last two years.

Mr. McLoughlin: During 1989 and 1990 the Hope Cove GP boat was launched on patrol every weekend and public holiday during the summer season, over 70 times in all. Although coastguard boats are not declared rescue facilities, during patrols 10 rescues were carried out of persons found to be in trouble. The boat was also launched:

five times to carry out rescues
15 times on exercise and training
20 times to provide offshore coordination of incidents and to assist with coastal searches
20 times when the number of sport divers active off Hope Cove justified a Coastguard presence afloat.

Mr. Steen: To ask the Secretary of State for Transport what consideration underlay his decision to accept the review of coastguards with regard to the future of the Coastguard Sector Organisation and Coastguard Auxiliary Service in South Hams.

Mr. McLoughlin: The review of the Coastguard Sector Organisation and Auxiliary Service was accepted as a consultative document not a statement of intent. The review proposes a framework for the future which offers opportunities to improve the availability, readiness, and training of the auxiliary and sector organisation to meet current requirements.

European Airworthiness Organisation

Mr. Warren: To ask the Secretary of State for Transport what action he is taking to secure the location of the headquarters of the European Airworthiness Organisation in the United Kingdom; and if he will make a statement.

Mr. McLoughlin: The United Kingdom Civil Aviation Authority proposed that the European Joint Aviation Authorities (JAA) headquarters should be located at Gatwick, and their initiative was endorsed by my right hon. and learned Friend the Secretary of State. The JAA board has since considered the eight candidates for the location of its headquarters, and decided on Amsterdam last December. I am confident that the United Kingdom will continue to play a prominent role in JAA.

Fenchurch Street Railway

Mr. Janman: To ask the Secretary of State for Transport what are British Rail's performance targets in the Fenchurch Street line; and what have been their achievements against these.

Mr. Freeman: The table sets out Network SouthEast's quality of service objectives and the Fenchurch Street line's achievement for 1989-90 and for 1990-91 so far.

Quality of service (performance by percentage)
Fenchurch Street line

	Objective	1989-90	[1]1990-91
Punctuality (+/− 5 minutes)			
AM Peak	88·0	76·8	85·4
PM Peak	88·0	79·5	76·8
All trains	92·0	87·4	87·6
(Punctuality targets revised 1 April 1990 from 87·5 per cent. AM and PM Peaks and 90 per cent. All Trains)			
Service Provision	99·0	97·2	97·7
Cleaning			
Heavy Interior (every 28 days)	100·0	96·1	89·3
Exterior (daily)	100·0	96·1	76·1
		1988	1989
Load Factors	am peak	[2]4·1	[2]1·6
sliding door: max. 135 per cent.			
slam door: max. 110 per cent.	pm peak	[2]1·5	[2]0·9

[1]Up to January 1991.
[2]Passengers in excess of capacity, per cent.

Autoguide

Ms. Ruddock: To ask the Secretary of State for Transport if he has made an evaluation of the Autoguide pilot project in London; and if he will make a statement;

(2) what information he has in relation to any decrease in congestion and increased traffic speeds in London attributable to Autoguide;

(3) if he has issued a licence for an Autoguide pilot scheme for any areas of the country, excluding London;

(4) if he will list the roads covered by the Autoguide pilot project in London.

Mr. Chope: Negotiations with GEC Ltd. on the terms of a licence to install and operate an Autoguide system in London are continuing. Agreement has yet to be reached on the proposed pilot scheme and so it is not possible to say which roads would be included. Estimates made by the Transport and Road Research Laboratory suggest that drivers equipped with the Autoguide system could reduce their mileage by about 6 per cent. and their journey times by some 10 per cent. No applications have yet been received or invited for Autoguide licences in areas outside London.

Road Schemes

Ms. Ruddock: To ask the Secretary of State for Transport if he will list all road schemes for which draft line orders were published before 3 July 1988, for which no environmental impact assessment has been carried out, and whose line orders have yet to be confirmed.

Mr. Chope: All schemes in the national trunk road programme have for many years been subject to a very full environmental appraisal before the line orders are confirmed. Within the requirements of the EC directive, a formal environmental impact statement has accompanied all draft orders published since 21 July 1988. Those schemes for which draft line orders were published prior to the implementation of the directive and for which line orders have yet to be confirmed are as follows:

A34	Newbury bypass
A40	Gypsy corner/Western Circus
A406	Regents Park Road
A406	Silver Street—Hall Lane

Sir John Stanley: To ask the Secretary of State for Transport if he will list the road schemes in which his Department has extended the distance limit for safeguarding purposes beyond the 67m limit specified in article 15(1)(b) of the General Development Order 1988.

Mr. Chope *[pursuant to his reply, 20 February 1991, column 182]:* There is a second case in which the distance limit for safeguarding purposes has been extended beyond 67m. It comprised a two-mile section of the M6 in the east midlands, which forms part of the proposed motorway widening between junction 4 of the M6 and its junction with the M1. The basis for safeguarding is the same as that for the 80-mile section of the M1 referred to in my reply of the 20 February.

Channel Tunnel Rail Link

Ms. Ruddock: To ask the Secretary of State for Transport (1) if he will request the chairman of British Rail to make available to interested parties the documentation being submitted to the inquiry commissioned by British Rail into the alternative routes for the channel tunnel rail link from the North downs to London;

(2) if he will ensure that all parties making submissions to the independent inquiry into the channel tunnel rail link are given access to all the relevant documentation, including submissions and assessments by other parties.

Mr. Freeman: No. It would be inappropriate for British Rail to make available documents relating to an internal study and which is not in the nature of a public inquiry. The results of the study will be published in due course if the project proceeds and there will be ample opportunity for discussion before statutory approval is given for a new line.

Ms Ruddock: To ask the Secretary of State for Transport if he will request the chairman of British Rail to publish the inception report which set the terms of reference for the inquiry by the independent assessor into the route of the channel tunnel rail link.

Mr. Freeman: I understand that British Rail expects to publish soon the interim report by W. S. Atkins on the methodology used by British Rail to compare alternative route options.

Ms. Ruddock: To ask the Secretary of State for Transport when he expects the chairman of British Rail to publish the report on alternative routes for the channel tunnel rail link.

Mr. Freeman: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 21 January 1991 at column *35*.

SCOTLAND

Natural Heritage Agency

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list the proposals to date for appointees to the regional boards of the proposed Scottish Natural Heritage Agency and their chairmen.

Lord James Douglas-Hamilton: It will be for Scottish Natural Heritage to decide whether to have regional boards and, if so, whom to appoint to them.

Sites of Special Scientific Interest

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many sites of special scientific interest are currently designated in Scotland; how many of these designations were objected to under section 28 of the Wildlife and Countryside Act 1981; and if he will make a statement.

Lord James Douglas-Hamilton: As at 1 February 1991, 1,307 sites of special scientific interest had been notified in Scotland. A right of objection was introduced by the Wildlife and Countryside (Amendment) Act 1985, which came into effect on 26 August 1985. The Nature Conservancy Council's latest available figures are that 491 sites were confirmed during the period from 1 August 1985 to 30 November 1990 and that representations or objections were received in respect of 149 of those sites.

Tobacco (Children)

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on his policy for the enforcement of legislation controlling the sale of tobacco to children; and if he intends to introduce any amendments in connection with the Children and Young Persons (Protection from Tobacco) Bill.

Lord James Douglas-Hamilton: As with all criminal offences in Scotland, it is for the procurator fiscal to consider reports of alleged offences in relation to the sale of tobacco to children under 16 with a view to criminal proceedings.

We intend to consult Scottish local authorities about the introduction in the Children and Young Persons (Protection from Tobacco) Bill of powers to enable them to enforce such offences in a way which would be appropriate to prosecution procedures in Scotland.

Morar Bypass

Sir Russell Johnston: To ask the Secretary of State for Scotland when he expects the outcome of the public inquiry on the Morar bypass, held on 20 March 1990, to be announced.

Lord James Douglas-Hamilton: The inquiry report was submitted at the end of September 1990. It contained some recommendations by the reporter which have been the subject of detailed consideration. This is almost complete and it is expected that my right hon. Friend's decision will be issued shortly after the Easter recess.

Health Board Chairmen

Mr. Eadie: To ask the Secretary of State for Scotland if he will list the number of occasions during the last 10 years on which a Minister of the Scottish Office has hosted a dinner for health board chairmen; and what were the venues in each case.

Mr. Lang: Dinners for health board chairmen were held on 8 July 1983 and 8 February 1991 in Edinburgh castle.

Electoral Statistics

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list in the *Official Report* the total electorate for each parliamentary constituency in Scotland as at 16 February.

Lord James Douglas-Hamilton: This information is not yet available centrally. I shall write to the hon. Member in due course and place a copy of the information in the Library.

Nature Conservation

Mr. Macdonald: To ask the Secretary of State for Scotland if he will list for *(a)* each site of special scientific interest and *(b)* each national nature reserve the number of current management agreements between the Nature Conservancy Council and landowners; and if he will place a copy of each agreement in the Library.

Lord James Douglas-Hamilton: I will write to the hon. Member.

Correspondence

Mr. Eadie: To ask the Secretary of State for Scotland what is the average time it takes each of his departmental Ministers to answer letters received from right hon. and hon. Members.

Mr. Lang *[holding answer 22 February 1991]:* Disproportionate costs would be incurred in the preparation of an answer in the form requested. A survey carried out in my Department during a representative period in 1990 showed an average response time of 17 working days.

Sites of Special Scientific Interest

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give the additional funding given to the Nature Conservancy Council to facilitate renotification of sites of special scientific interest in Scotland.

Lord James Douglas-Hamilton *[holding answer 22 February 1991]:* The renotification of sites of special scientific interest is 97 per cent. complete. The allocation of funds to renotification is a matter for the Nature Conservancy Council within its budget.

OVERSEAS DEVELOPMENT

Africa

37. **Mr. Wells:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government have to give further encouragement to the pursuit of structural adjustment in African countries.

Mrs. Chalker: Support for the process of economic reform has been a central aspect of our aid policy for Africa for several years and will continue to be so. We pledged and provided a total of £250 million for the first phase of the World Bank's special programme of assistance for sub-Saharan Africa. We expect shortly to make a further substantial pledge for the second phase of this programme.

38. **Mr. Rooney:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the 27 African countries threatened with famine.

Mrs. Chalker: The Government are greatly concerned that 29 million people may be at risk of starvation in 25 African countries. Ethiopia, Sudan, Mozambique, Angola and Liberia are the most seriously affected with a total of over 20 million people at risk. HMG have committed over £118 million emergency assistance to these five countries since the beginning of 1989 and £22 million of relief aid to the rest of Africa. We are ready to do more through 1991.

Iraq

39. **Mr. Harry Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of humanitarian needs inside Iraq.

Mrs. Chalker: None. Security Council resolution 666 charges the United Nations Sanctions Committee to make the necessary determination to establish whether or not humanitarian circumstances have arisen, and to keep the situation regarding foodstuffs in Iraq and Kuwait under review.

Neither the ICRC nor the UNICEF/WHO team now in Baghdad have yet been able to conduct a full assessment for consideration by the United Nations Sanctions Committee. The ICRC have, however, identified a serious shortage of drinking water and, after notifying the United

Nations Sanctions Committee, dispatched water purification supplies to Baghdad. The United Nations Sanctions Committee has authorised a consignment of food for ICRC distribution to Iranian internees and some other Asian nationals which the ICRC have identified as being in need.

Yemen

Miss Hoey: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the level of overseas aid to the Republic of Yemen will be affected by events in the Gulf.

Mrs. Chalker: With the withdrawal of aid personnel from certain parts of the middle east to ensure their safety, our aid programme to the Republic of Yemen is on hold, although certain activities are continuing in the United Kingdom. We hope to resume our bilateral programme in the Republic of Yemen as and when circumstances allow, although it is not possible to say at this stage at what level that might be.

Food Relief Flights

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many food relief flights his Department is sponsoring.

Mrs. Chalker: The ODA has provided financial support for four current food airlift operations, one each in Ethiopia, Sudan, Angola and Mozambique.

In Sudan the airlift is operated by the Lutheran World Federation from Nairobi to Juba. I have just approved further assistance of £200,000 bringing our total contribution for this airlift since February 1989 to £1·2 million.

Somalia

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Somalia.

Mrs. Chalker: The various groups who were opposed to the overthrow of Siad Barre's regime have been unable to agree so far on setting up a new Government. We are urging them to do so. Meanwhile fighting continues with the remnants of Siad Barre's forces and also reportedly between some of the rival groups.

Beef

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to propose environmental conditions into the beef protocol of the Lomé agreement; and if he will make a statement.

Mrs. Chalker *[holding answer 19 February 1991]:* When the fourth Lomé convention takes effect (ratification is required by all member states in the Community and two thirds of the ACP countries), the provisions of the beef protocol will allow certain ACP countries to import beef into the EC at reduced levy, subject to national quotas. As environmental concerns are covered in articles 33-41 of the convention, the beef protocol is already subject to them.

DEFENCE

Atomic Weapons Research Establishment

Mr. Teddy Taylor: To ask the Secretary of State for Defence what steps he is taking to ensure that employees of AWRE are provided with the same opportunities to remain within the UKAEA pension scheme after privatisation as former AWRE employees who transferred to the employment of British Nuclear Fuels Ltd. and Amersham plc; and if he will make a statement.

Mr. Kenneth Carlisle: The question of pension arrangements for members of the UKAEA principal non-industrial superannuation scheme (PNISS) employed at AWRE after contractorisation is under consideration.

I have given assurances that nobody will suffer detriment to their pension arrangements as a result of contractorisation.

The Gulf

Mr. Dalyell: To ask the Secretary of State for Defence what information he has on escapes of dangerous material from biological weapons depots in Iraq destroyed by allied bombing.

Mr. Archie Hamilton: We have no reliable information regarding any environmental effects of allied bombing of biological weapons facilities in Iraq. The methods used in attacking such sites are designed to minimise the risk of contamination outside the sites. Any remaining risk must be balanced against the risk of Iraq using these weapons against coalition forces or civilian populations.

Mr. Marlow: To ask the Secretary of State for Defence what information he has on the extent to which the suffering of the Kuwaiti population to which he referred in his answer of 18 February, *Official Report*, column *64*, has been increased by the effect of allied bombardment.

Mr. Archie Hamilton: I have nothing to add to the answer I gave to my hon. Friend on 18 February, at column *64*.

Mr. Marlow: To ask the Secretary of State for Defence, further to his answer of 18 February, *Official Report*, column *64*, whether any military objectives have been discussed with Israel beyond those laid down by the United Nations Security Council.

Mr. Archie Hamilton: Israel is not a member of the coalition in the Gulf and is not involved in the action to implement the United Nations Security Council resolutions.

Mr. Flynn: To ask the Secretary of State for Defence on how many occasions British air sorties over Iraq and Kuwait have missed intended military targets and hit attendant civilian areas causing deaths and injuries to civilians; and what steps the British military commanders in Saudi Arabia have taken to avoid such civilian casualties.

Mr. Archie Hamilton: It is allied policy to attack only military targets and facilities supporting Iraq's occupation of Kuwait. Great care continues to be taken during these attacks, both in the tactics and the weapons used, to minimise the risk of causing civilian casualties. Only a

minority of the precision-guided munitions used by the RAF are assessed to have missed their intended target. There are indications that most of these have fallen well away from inhabited areas. Any civilian casualties that may have resulted are greatly regretted.

Mr. Marlow: To ask the Secretary of State for Defence what information he now has on the number of consecutive days prior to the bombing of the Al-Amariyah bunker that it had been used for the protection of civilians.

Mr. Archie Hamilton: None. The United States has made it clear that the bunker would not have been attacked if it had been known that civilians were inside.

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to the oral answer to the hon. Member for Canterbury (Mr. Brazier) on 19 February 1991, *Official Report*, column 134, if he will set out the evidence that Iraq has nuclear weapons that are capable of polluting the Gulf region; and when Her Majesty's Government reached the conclusion that Iraq has a nuclear weapons capability.

Mr. Archie Hamilton: We continue to assess that Iraq is not currently capable of constructing a nuclear explosive device.

Mr. Nellist: To ask the Secretary of State for Defence if he will list the numbers of forces each country has *(a)* committed to service and *(b)* promised are available to the coalition forces in the Gulf.

Mr. Archie Hamilton: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on 12 February, at columns 382-83. The precise natue of the national contributions to the coalition force in the Gulf is a matter for the Governments concerned.

Teesside Development Corporation

Mr. Devlin: To ask the Secretary of State for Defence whether he will supply a copy of the specification for facilities for the quality assurance unit to the Teesside development corporation.

Mr. Kenneth Carlisle: A summary of area requirements sub-divided by category was sent to Teesside development corporation on 25 January 1991. Additional data were passed to Teesside development corporation on 28 January 1991.

Quality Assurance Unit

Mr. Devlin: To ask the Secretary of State for Defence what is the current estimate of the cost of relocating his Department's quality assurance unit to *(a)* Preston Farm, Stockton-on-Tees, *(b)* ICI Billingham and *(c)* Portland in Dorset.

Mr. Kenneth Carlisle: My Department is currently reassessing the scope of work to be relocated and the feasibility and likely cost of a number of locations. Current studies will be completed as soon as possible.

Prisoners of War

Mr. Harry Barnes: To ask the Secretary of State for Defence what arrangements exist to allow families resident in the United Kingdom to visit prisoners of war; and whether he has plans to alter the present arrangement.

Mr. Archie Hamilton: Suitable arrangements are being made to allow visits by the close families of the Iraqi prisoners of war held at Rollestone camp. These will begin shortly.

ATTORNEY-GENERAL

White Collar Crime

30. **Mr. Hind:** To ask the Attorney-General if he has any plans to meet the Director of the Serious Fraud Office to discuss the prosecution of white collar crime; and if he will make a statement.

The Attorney-General: I expect to meet the director again shortly to discuss matters of departmental interest.

Crown Prosecution Service

31. **Mr. Vaz:** To ask the Attorney-General if he will make a further statement on the state of the Crown prosecution service.

The Attorney-General: The Crown prosecution service continues to strengthen both in numbers, effectiveness, and the working relationships with other agencies. The Crown prosecution service warmly welcomes the report of the working group on pre-trial issues.

Land Access

Mr. Gareth Wardell: To ask the Attorney-General what plans he has to implement the Law Commission's recommendations on access to neighbours' land.

The Attorney-General: The Government have accepted the recommendations contained in the Law Commission's report "Rights of Access to Neighbouring Land" (Law Com. No. 151), which they will seek to implement when parliamentary time allows.

Jury Service

Mr. Harry Barnes: To ask the Attorney-General (1) how catchment areas for jury service are determined; and whether there are circumstances in which those summoned for jury service can opt to fulfil their duties within adjacent catchment areas;

(2) what measures are taken when females are asked to undertake jury service to ensure that there is *(a)* a limit to the hours they need to be away from their homes, *(b)* coverage for any homework and child care responsibilities they might normally undertake and *(c)* that they are not vulnerable by having to resort to public transport at unsociable hours;

(3) what consideration is taken into account in determining whether a person is to be summoned to undertake jury service of *(a)* the distances they are required to travel to court, *(b)* the availability of public transport facilities and *(c)* the length of time a juror will need to be away from their home.

The Attorney-General: The Juries Act 1974 provides that the Lord Chancellor shall have regard to the convenience of persons summoned and to their respective places of residence and in particular to the desirability of selecting jurors from within reasonable daily travelling distance of the court which they are to attend. The area

from which jurors are summoned to attend a particular location of the Crown Court usually coincides with the petty sessional areas from which the persons are normally committed for trial to that location when charged with a class 4 offence. However, jurors are normally only summoned from those parts of the catchment area which are within one or two hours travelling time. The court day normally begins at 10.30 am and concludes at about 4.30 pm and although they are normally expected to attend some time in advance jurors are usually away from their homes or places of work for a maximum of about nine hours. This, of course, varies with the length of the court day and the actual travelling time for a particular juror. No special arrangements are made for females who are performing this important public duty to which all those eligible are expected to contribute.

Where public transport is not easily accessible jurors may receive an enhanced rate for use of a private vehicle. Those who cannot reasonably use public transport and do not have their own transport may, of course, apply for excusal. There is no provision for a juror to opt to attend a court which has an adjacent catchment area.

Those with young children are entitled to receive jurors allowances including financial loss allowance in the same way as any other juror. Financial loss allowance is paid where a juror, in consequence of attendance has incurred any expenditure (other than travelling and subsistence costs which are paid as separate allowances) which he or she would not otherwise incur including any expenditure on child care costs or any loss of earnings or benefit. There is, however, an overall maximum of £35·30 per day which may be paid in respect of financial loss for the first 10 days of service. This increases thereafter to £70·60.

Any person may apply for excusal from jury service and summoning officers are instructed to treat with sympathy applications on the grounds of the need to care for young children.

Mortgage Arrears

Mr. Meale: To ask the Attorney-General if he will give by year the number of court actions for mortgage arrears or repossessions, by petty sessions division, since 1987.

The Attorney-General: Mortgage possession actions are a civil matter and as such come within the jurisdiction of the Chancery Division of the High Court and the county courts in England and Wales which are divided into six circuits.

The number of mortgage possession actions issued in the county courts since 1987 were:

	1987	*1988*	*1989*	*1990*
Midland and Oxford	18,123	13,965	17,075	28,651
North Eastern	11,248	10,866	10,656	13,331
Northern	12,276	11,547	10,771	13,818
South Eastern (London)	5,487	5,673	9,849	19,963
South Eastern (Provinces)	17,854	17,080	26,135	42,684
Wales and Chester	6,443	6,080	6,189	9,477
Western	7,749	7,444	10,743	17,554
Total	79,180	72,655	91,418	145,478

The number of writs for mortgage possession issued in the Chancery Division of the High Court since 1987 were:

1987	*1988*	*1989*	*1990*
1,203	1,206	1,981	2,818

Mr. Meale: To ask the Attorney-General if he will give by year the number of court actions for mortgage arrears or repossessions in the Mansfield court area since 1987.

The Attorney-General: The number of mortgage possession actions issued in Mansfield county court since 1987 were:

	Number
1987	518
1988	411
1989	445
1990	664

THE ARTS

British National Bibliography

Mr. Campbell-Savours: To ask the Minister for the Arts whether he will list the number of titles included in the British National Bibliography in each of the years 1960, 1970, 1980, 1985, 1986, 1987, 1988, 1989 and 1990.

Mr. Renton: The number of titles included in the British National Bibliography is as follows:

Source of information	*Year*	*Number*
Estimate based on books on the on-line file published in that year	1960	18,892
Number added to the on-line file in that year	1970	28,042
Number added to the on-line file in that year	1980	41,043
Number added to the on-line file in that year	1985	38,997
Number added to the on-line file in that year	1986	27,513
Number added to the on-line file in that year	1987	50,924
Number added to the on-line file in that year	1988	60,175
Number added to the on-line file in that year	1989	53,902
Number added to the on-line file in that year	1990	61,053

Libraries and Information Services Council

Mr. Campbell-Savours: To ask the Minister for the Arts if he will list the reports produced by the Libraries and Information Services Council for England in each year from 1986 to 1990.

Mr. Renton: The Library and Information Services Council has produced the following reports:

	Published by
1986	
The future development of libraries and information services: progress through planning and partnership	HMSO ISBN 0 11 430011 9

	Published by
Library and Information Services in 1985: Review by the Library and Information Services Council (included in Report by the Minister for the Arts on Library and Information Matters during 1985)	HMSO ISBN 0 10 223486 8
Professional education and training for library and information work: a review by the Library and Information Services Council	Library Association Publishing Limited ISBN 0 85365 707 6
1987	
Joint Enterprise: Roles and Relationships of the Public and Private Sectors in the Provision of Library and Information Services	HMSO ISBN 0 11 430016 X
Joint enterprise: Roles and Relationships of the Public and Private sectors in the Provision of Library and Information Services. Report of a seminar held on Tuesday 21 July 1987.	Office of Arts and Libraries
Library and Information Services in 1986: Review by the Library and Information Services Council (included in Report by the Minister for the Arts on Library and Information Matters during 1986)	HMSO ISBN 0 10 225287 4
1988	
Financing Our Public Library Service: LISC's Response	J Whitaker and Sons ISBN 0 85021 195 6
Library and Information Services in 1987: Review by the Library and Information Services Council (included in Report by the Minister for the Arts on Library and Information Matters during 1987)	HMSO ISBN 0 10 233288 6
1989	
The Minister for the Arts' Statement on Public Library Policy: LISC's Response	Office of Arts and Libraries
Library and Information Services in 1988: Review by the Library and Information Services Council (included in Report by the Minister for the Arts on Library and Information Matters during 1988)	HMSO ISBN 0 10 223689 5
Role of Government in relation to the co-ordination of library and information services	limited circulation
1990	
Library and Information Services in 1989: Review by the Library and Information Services Council (included in Report by the Minister for the Arts on Library and Information Matters during 1989)	HMSO ISBN 0 10 222290 8
Public Library Services for Children and Young People: A Statistical Survey	British Library ISBN 0 7123 3195 6

PRIME MINISTER

Norwegian Prime Minister

Mr. Flynn: To ask the Prime Minister what was discussed at his meeting with his Norwegian counterpart on 13 February.

The Prime Minister: I refer the hon. Member to the reply I gave him on 21 February at column *223*.

Street Lighting

Dr. Twinn: To ask the Prime Minister if he will seek to improve co-ordination between the Home Office and Departments of Environment and Transport to identify where early action can be taken to reduce the public's fear of, and to help prevent, crime by improving the standard of street lighting in towns; and if he will make a statement.

The Prime Minister: The Home Office has just received a first draft of a report of a major research study undertaken by the University of Southampton to assess the impact of improved streetlighting on crime and the fear of crime in the London borough of Wandsworth. The results are being considered. The Home Office is also engaged in a monitoring exercise on the link between lighting improvements and crime in four urban areas. When all the relevant information is to hand Home Office Ministers will consider, in conjunction with other Departments as appropriate, what further action is necessary to try and reduce the public's fear of crime.

German Chancellor

Mr. Flynn: To ask the Prime Minister what matters were discussed during his meeting with Chancellor Kohl in Bonn on 11 February.

The Prime Minister: Chancellor Kohl and I discussed a number of current issues, including the Gulf, relations with the Soviet Union and European Community affairs. I look forward to developing our close relationship.

Nuclear Accidents

Dr. David Clark: To ask the Prime Minister if he will make a statement on his progress in preparing a contingency plan to deal with the effects of any future nuclear accident overseas following the parliamentary answer to the hon. Member for Bedfordshire, North (Sir T. Skeet) on 30 June 1987, *Official Report*, columns *65-67*.

The Prime Minister: My right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley), the then Secretary of State for the Environment, announced in January 1988 that proposals for implementing the national response plan had been finalised. Details of the proposals have been published in a booklet: "The National Response Plan and Radiation Incident Monitoring Network (RIMNET). A Statement of Proposals" published by HMSO, copies of which have been placed in the Libraries of both Houses.

The radiation monitors for the first phase of the RIMNET system have been in operation since June 1988, and I understand that my right hon. Friend the Secretary of State for the Environment will be making an announcement shortly with regard to the award of the contract for installing phase 2 of RIMNET.

Electricity Prices

Mr. Dobson: To ask the Prime Minister whether his office has been consulted about the proposed 13 per cent. increase in domestic electricity prices.

The Prime Minister: It is for the Director General of Electricity Supply to receive and consider the companies' proposals, and to satisfy himself that they are consistent with the companies' licence requirements.

The Gulf

Mr. Flynn: To ask the Prime Minister what communications he, or his officials, had with the deputy director-general of the BBC on 13 February concerning BBC news coverage of the casualties caused to Iraqi civilians by allied air raids on Baghdad.

The Prime Minister: There is contact on a regular basis between my office and the media on a variety of subjects, including the coverage of the Gulf conflict.

Mr. Flynn: To ask the Prime Minister if President Bush contacted Her Majesty's Government prior to his speech in Massachussets on 15 February calling for the overthrow of President Saddam Hussein; and what is the Government's policy in relation to the President of Iraq.

The Prime Minister: The Government's policy towards Iraq is to secure full, immediate and unconditional compliance with the Security Council resolutions.

Mr. Latham: To ask the Prime Minister whether he will make a statement on the progress of military action to liberate Kuwait in accordance with resolutions of the United Nations Security Council.

The Prime Minister: The military action to free Kuwait is making steady progress, while attempting to avoid civilian casualties so far as possible. The forces of the multinational coalition deserve great credit for their performance.

HOME DEPARTMENT

Young Offenders

Mrs. Mahon: To ask the Secretary of State for the Home Department if he will take immediate steps to deprive the courts of the power to remand 15 and 16-year-old boys in prison.

Mr. John Patten: On 4 February, we published a consultation paper setting out our proposals for reforming the arrangements for the remand of alleged juvenile offenders. We propose to end the remand to prison custody of 15 and 16-year-old boys, as soon as enough places in local authority secure accommodation are available.

Metropolitan Police

Mr. Ashton: To ask the Secretary of State for the Home Department (1) if he will make a statement outlining the current practice in respect of allowing the staff of the Metropolitan police time off in working hours for sporting and leisure activities;

(2) what was the highest total number of hours given in time off for leisure of sporting activities to any member of the Metropolitan police force in 1990;

(3) how many working hours were lost in the Metropolitan police force in 1990 because of sporting and leisure activities; and what was the cost to public funds;

(4) if he will list the various sporting and leisure activities which the staff of the Metropolitan police force had time off work for last year.

Mr. Peter Lloyd: The Deputy Commissioner has told me that officers representing the Metropolitan police at first or second team level, at sports affiliated to the Metropolitan Police Athletic Association are allowed up to four hours once a week in duty time to take part in matches, subject to the exigencies of duties. The sports involved are as listed.

American Football
Angling
Archery
Association Football
Athletics and cross country
Badminton
Basketball
Billiards and Snooker
Bowling
Bridge
Canoeing
Chess
Cricket
Cycling
Darts
Fencing
Flying
Golf
Hockey
Judo
Lawn Tennis
Male Voice Choir
Martial Arts
  Karate
  Kung Fu
  Aikido
  Kendo
Motor Sport
  Rallies
  Motor Cycle
  Racing
  Old Vehicles
Mountaineering
Netball
Race Walking
Rowing
Rugby Football
Rugby League
Sailing
Shooting
Skiing
Squash Racquets
Sub-Aqua
Swimming
  Water Polo
Table Tennis
Ten-pin bowling
Triathlon
Tug of War
Volleyball
Weightlifting
Wrestling

The Deputy Commissioner does not hold centrally the other information requested, which could be collected only at disproportionate cost.

Gambling

Mr. Nigel Griffiths: To ask the Secretary of State for the Home Department if he will bring forward legislation to outlaw the advertising of gambling and amusement coin-operated slot machines in such a way as to promote the exploitation of young people.

Mr. Peter Lloyd: No. The results of the Home Office research study "Amusement Machines Dependency and Delinquency", published in July 1988, provided no grounds to justify additional controls on amusement-with-prizes and other coin-operated amusement machines. As regards "jackpot" machines, these are permitted only on premises either licensed or registered under the Gaming

Act 1968 to which young people do not normally have access and which are already subject to controls on advertising.

Remand Prisoners, Manchester

Mr. Andrew F. Bennett: To ask the Secretary of State for the Home Department (1) what discussions have been held on the impact on the effectiveness of Greater Manchester police as a result of extra duties relating to the holding of prisoners in police cells and as to what effect it will have on the prisoners, their families, and on solicitors and the probation service; and what discussions there have been about finding alternative accommodation;

(2) what discussions he has had with Greater Manchester Police about the number of people expected to be held in police cells in Greater Manchester for each of the next three years; how much this is expected to cost in police overtime; and how much will be spent in improving police cells during that period.

Mrs. Rumbold: Officials are in daily contact with the Greater Manchester police with a view to minimising the use of police cells for prisoners and any impact on police effectiveness, the prisoners, their families, solicitors and the probation service. The elimination of the problem depends on the provision of new or refurbished accommodation and the resolution of industrial relations difficulties in certain prisons in the north-west, where I hope that staff will note the comments of Lord Justice Woolf in his report that is being published today. The prison service is also actively reviewing the use of the prison estate in order to make the most effective use of the available accommodation. It is not possible to estimate centrally the extent to which police overtime may continue to be needed, and the amount to be spent on improving police cells is a matter for the police authority to determine in relation to other priorities. The costs incurred by the Greater Manchester police in keeping in police cells people who should be in prison are reimbursed by the prison service.

Escaped Detainees

Mr. Alan Williams: To ask the Secretary of State for the Home Department (1) whether Molly Donalds, Karen Rhoden, and Patricia Weir, who escaped from Drake Hall on 24 January 1989, have since been recaptured;

(2) whether Ikaete Margarita Jackson, Salamat Oliuvag-Benigun, and Florence Omawuaye Asore, who escaped from East Sutton Park in January 1989, have since been recaptured.

Mrs. Rumbold: No. These six women are still unlawfully at large.

Female Prisoners

Mr. Alan Williams: To ask the Secretary of State for the Home Department when new evidence is due to be issued about the categorisation and allocation of female prisoners to penal establishments; what factors gave rise to the review; whether it will consider the large numbers of absconders from open prisons; and if he will make a statement.

Mrs. Rumbold: Guidance will be issued to governors shortly, following an examination of procedures which was prompted by the need to establish a more systematic and consistent basis for allocating female prisoners, particularly as between closed and open establishments. The risk of absconding is an important factor to be taken into account in considering an individual's suitability for open conditions.

SOCIAL SECURITY

Concessionary Fuel

Mr. Barron: To ask the Secretary of State for Social Security (1) following the reply to the hon. Member for Rother Valley on 31 January, *Official Report*, column *633*, concerning concessionary fuel, what action has been taken by British Coal to inform and give advice to concessionaires who have accepted the lump sum offer;

(2) pursuant to the answer of 31 January, *Official Report*, column *633*, on concessionary fuel, what action his Department has taken in conjunction with British Coal; and if he will make a statement.

Miss Widdecombe: Officials contacted British Coal as soon as they became aware that a lump-sum option was being offered to recipients of cash-in-lieu of concessionary coal. That contact has been followed up with a letter confirming the importance of concessionaires obtaining benefit advice before making a decision. The Department will also be issuing appropriate guidance to Social Security offices and local authorities. We understand that British Coal is currently considering its position.

Pension Deductions

Sir Anthony Meyer: To ask the Secretary of State for Social Security how many retirement pensioners during each of the last five years for which figures are readily available have had sums deducted from their pensions in respect of accommodation or national health service treatment after the statutory six weeks stay in national health service hospitals; and what was the total sum received by the national health service in consequence of these deductions during each of these years.

Miss Widdecombe: Figures are not available in the precise form requested. However, data are available on the number of people counted on specified dates in the past five years who had their benefit reduced as a result of receiving in-patient treatment under the national health service. The numbers are as follows:

	Number
31 March 1986	76,450
30 September 1987	73,250
31 March 1988	68,990
31 March 1989	66,220
31 March 1990	60,590

The money by which a pensioner's benefit is reduced is not paid directly to the national health service but remains within the national insurance fund which helps fund the NHS. In 1989-90 the fund paid £4·06 billion towards the cost of the NHS.

National Insurance Contributions

Mr. O'Hara: To ask the Secretary of State for Social Security what are the relative entitlements of *(a)* a widow who has paid full national insurance contributions for 35

years and then becomes unemployed and *(b)* a widow in the same position who has never paid national insurance contributions.

Mr. Jack: The information is as follows:

Widow (a)

If claims and satisfies conditions, payable rate of unemployment benefit reduced by amount of widows benefit (excluding additional pension).

Widow (b)

Not entitled to unemployment benefit. May be entitled to widows benefit based on late husband's contribution record.

Both have possible entitlement to income support, housing benefit and community charge benefit.

Mr. Allen: To ask the Secretary of State for Social Security for how many years an individual has to pay full national insurance contributions to qualify for a state pension *(a)* in full and *(b)* other specific categories of pension.

Mr. Jack: To qualify for a 100 per cent. category A basic retirement pension a person must have paid full rate contributions for approximately nine-tenths of their working life. The working life is normally calculated as 49 years for a man and 44 years for a woman, but is reduced in certain circumstances, such as where home responsibilities protection applies. If the contribution record is insufficient to give the full rate, basic pension may be paid on a pro-rata basis at rates varying between 25 per cent. and 100 per cent. Below 25 per cent. no basic pension is payable.

Other specific categories of retirement pensions are category B for a wife, widow or widower derived from their spouses contributions and calculated on a similar basis and categories C and D non-contributory pensions for elderly people, which have a residence rather than a contributory requirement. Further details on the entitlement conditions for all state retirement pensions can be found in leaflet NP46, which is available in the Library.

Local Offices (Industrial Action)

Mr. Meacher: To ask the Secretary of State for Social Security what areas of work were affected, or not covered at all, as a result of the recent industrial action in *(a)* Wallasey, *(b)* Stockton, *(c)* Redcar, *(d)* Doncaster, *(e)* Hull, *(f)* Leicester, Yeoman Street, *(g)* Tottenham, *(h)* Ilford, *(i)* Bloomsbury, *(j)* Kensington and *(k)* Camberwell local offices.

Miss Widdecombe: As can only be expected when industrial action has been taken, all areas of work were affected to some degree in the local offices mentioned and local management had to prioritise work accordingly. The prompt payment of benefits remained the top priority for all these offices. Every effort was made by management and staff to ensure that their offices remained open to the public and to provide a telephone service (although this was necessarily limited in some cases).

Liable Relative Work

Mr. Meacher: To ask the Secretary of State for Social Security if he will list, by region, the allocated number of staff days for liable relative work during the period 1 April 1990 to 31 December 1990; and what was the number used.

Miss Widdecombe: The staff days allocated and used for liable relative work during the period 1 April 1990 to 31 December 1990 for each region are in the table.

The figures are obtained from the Department's monthly statistical returns. Caution needs to be applied in making direct comparisons between allocations and usage. Allocations include management and common services (typists etc) which may not be included in liable relative usage figures.

Region	*Allocated*	*Used*
North East	59,634	42,249
Midlands	57,789	35,032
London North	60,984	34,981
London South	65,241	29,866
Wales and South West	45,423	30,018
North West	48,591	33,337
Scotland	36,126	26,196

Local Office, Norcross

Mr. Bellotti: To ask the Secretary of State for Social Security how many forms DS 1060 were sent out by his Department's office at Norcross, Blackpool, in the period 1 January 1990 to 31 December 1990.

Mr. Scott: The information requested is not available.

Mr. Bellotti: To ask the Secretary of State for Social Security what is the average time taken by his Department's office at Norcross, Blackpool, to answer a letter from *(a)* a member of the public and *(b)* an hon. Member.

Miss Widdecombe: *(a)* A quality assessment study has just been completed at North Fylde central office, which includes Norcross, and this shows that in relation to inquiries by members of the public 62 per cent. of letters were answered in less than three weeks. The study shows an improvement over the findings in the last quality assessment exercise. Further positive efforts to improve this aspect of customer service will continue and the results will be monitored. This study also showed that 78 per cent. of those questioned considered the quality of service given to be good or very good.

(b) The precise information is not available in the form requested. However, across the span of the five different benefits the current average lies in the range of five to 12 working days.

Mr. Bellotti: To ask the Secretary of State for Social Security if he will instigate a review of the level of performance of his Department's office at Norcross, Blackpool.

Miss Widdecombe: The North Fylde office at Blackpool is responsible for processing a wide range of diverse benefits each of which is regularly monitored to establish performance levels. Where deficiencies are shown management action is taken to improve the situation. In the case of a major problem recourse to a full review is available to management and such a step has recently been taken in relation to the War Pensions area of work. We are content therefore that satisfactory performance control mechanisms exist at the North Fylde offices.

Mr. Bellotti: To ask the Secretary of State for Social Security how many files have been recorded as lost at his Department's office at Norcross, Blackpool, in 1990.

Miss Widdecombe: The information is not available in the form requested.

Severe Weather Payments

Mr. Andrew Bowden: To ask the Secretary of State for Social Security what was the total number of people who *(a)* were entitled to and *(b)* claimed severe weather payments in 1986-87 and, so far as the information is available, in the current winter; and how many in each case were pensioners.

Mr. Scott: We estimate that about 2·2 million households are eligible to claim cold weather payments this winter, of whom 1·25 million are pensioner households. Information on claims made this winter is not yet available.

Cold weather payments in 1986-87 were made under the previous scheme. I refer the hon. Member to my reply to the hon. Member for Moray, (Mrs. Ewing), on 14 February, at col *583*, which lists the number of payments. Details are not available of the claims made, or of the numbers of people eligible for payments.

Mr. Meacher: To ask the Secretary of State for Social Security how many cold weather payments were made each day from 1 February.

Mr. Scott: Information regarding the number of cold weather payments made is collected each calendar month. When it becomes available, the information for February will be placed in the Library.

Mr. Winnick: To ask the Secretary of State for Social Security what would be the additional cost if the cold weather payments were paid to those pensioners who receive *(a)* £20 a week above the income support maximum and *(b)* £10 a week above that level.

Mr. Scott *[holding answer 15 February 1991]:* The estimated costs are for *(a)* £5·5 million per week and for *(b)* £4 million per week.

Note: These costs are for payments to those benefit units which have at least one member who is 60 years or over and capital under £1000. These estimates assume all those entitled to a payment make a claim.

Source: Modelled using data drawn from the 1986-87-88 Family Expenditure Surveys.

Research Projects

Mr. Allen: To ask the Secretary of State for Social Security if he will list the research projects *(a)* currently underway and *(b)* planned by the Department in all areas excluding invalidity benefit, giving the title of the research, its estimated cost and its completion date in each case.

Mr. Scott: The tables set out the details of research under way and planned by the Department. A number of additional studies are under consideration to start in 1991-92 depending on available resources but details of these have not yet been fully considered.

Table A
Research currently underway

Project	*Cost (£ thousands)*	*Completion due*
Maternity rights and benefits	[1]44	Final report awaited
Consumer views of the attendance allowance medical examination	In-house	Completed: final report received
Invalid care allowance	142	Completed: final report received
Disability working allowance research	32	April 1991
Survey of incomes in and out of work[2]—Econometric analysis of durations	67	Early 1992
Survey of incomes in and out of work—further analysis of attitude data	10	Autumn 1991
Survey of incomes in and out of work—replacement ratio analysis	In-house	Autumn 1991
Severe hardship payments for 16/17 year olds	119	Final report awaited
Impact of family credit	204	August 1992
National child development survey—5th sweep	[1]175	July 1993
Operation of the social fund	330	December 1991
Survey of social fund review procedures	[1]10	April 1991
Survey of credit and debt	[1]11	April 1991
Preliminary study of people leaving certain long-stay institutions	5	Completed: Final report recently received
Improvements to family expenditure survey grossing up procedures	30	June 1991
Family credit and the self-employed	131	March 1993
Actively seeking work provisions	35	Awaiting final report
British household panel study	[1]125	March 1995
Survey of retirement and retirement plans	828	Autumn 1991
Analysis of data from the survey of retirement, including econometric modelling	54	December 1992
Consumer perceptions of personal pensions	26	Completed: final report recently received
British social attitudes survey 1991, 1993, 1994	[1]60	Late 1992 (for 1991 survey)
OPCS omnibus survey	[1]41	May 1991
Information needs of informal advisers	39	Completed: report recently received
Forms design	70	October 1991

Project	Cost (£ thousands)	Completion due
Evaluation of consumer consultations in the social security system	42	Final report awaited
Hard to place residents of resettlement units	47	April 1992
Survey of admissions to London resettlement units	In-house	July 1991
Assessment of women users of resettlement units and their needs	2	June 1991
Housing benefit reviews	100	Completed: final report received

[1] DSS contribution to joint funded research.
[2] Main stage of the survey of incomes in and out of work completed summer 1990. Results published in:
Evens, B and Hedges, B: Survey of Incomes In and Out of Work (SCPR, 1990) and
German, A and Redmond, G: The Changing characteristics of unemployed men, Employment Gazette, September 1990.

Table B
Planned research

Project	Anticipated cost (£ thousands)	Anticipated completion due
Changes in income and benefit status over time	103	To be decided
Structure of employers' national insurance contributions	To be decided	To be decided
Survey of incomes in and out of work—takeup of in-work benefit	In-house	Autumn 1991
Survey of incomes in and out of work—Econometric analysis of partner activity	16	December 1991
Survey of occupational pensions	Awaiting costings	To be decided
Information needs of and access to service by minority ethnic groups	50	To be decided
Information needs of and access to service by people with disabilities	50	September 1991
Annual independent national customer survey	To be decided	September 1991
Customer perceptions of resettlement units	37	July 1991
Effect of benefit availability on housing decisions	60	To be decided

Parliamentary Questions

Mr. Allen: To ask the Secretary of State for Social Security how many parliamentary questions have not been answered because of disproportionate cost over the last year; and if he will list those that could now be answered due to the effectiveness of the operational strategy of computerisation.

Miss Widdecombe: There have been 33 questions receiving such answers over the last year. It would not be possible to undertake the type of analysis requested without incurring disproportionate cost.

Social Fund

Mr. Wigley: To ask the Secretary of State for Social Security (1) how much money has been allocated for loans and grants under the social fund for 1990-91, in each district council area of Wales;

(2) if he will publish the numbers of successful claims for *(a)* grants and *(b)* loans under the social fund as a percentage of the total number of applicants for each, in every district council area of Wales in 1990;

(3) of the successful social fund applications for *(a)* grants and *(b)* loans, how many were allocated to (i) pensioners, (ii) single parents, (iii) disabled people, (iv) families and (v) single people for each district council area in Wales during 1990;

(4) how much money was *(a)* allocated and *(b)* utilised as (i) loans and (ii) grants under the social fund in each district council area in Wales during 1990; and in each instance what amount of money was set aside for cases which are pending in 1990-91.

Mr. Scott: Information is not collected according to district council areas. Statistics for all local offices of the Department on *(a)* allocations for loans and grants, *(b)* applications processed and awards made, and *(c)* expenditure, are in the Library.

Awards are made from the year's budget in which they are paid, not the budget for the date of application.

Mr. Harry Barnes: To ask the Secretary of State for Social Security how many of those in receipt of income support are having deductions made to the repayment of social fund loans; and what is the average level of repayments by quintile to each of his Department's offices in Derbyshire.

Mr. Scott: The table shows the number of applicants repaying social fund loans at the end of November 1990. It is not possible to provide quintile figures on repayments.

	Number
Chesterfield	1,338
Derby (Becket Street)	630
Derby (Heritage Gate)	394